

**REGULAR COUNCIL MEETING AGENDA  
MONDAY, MARCH 25, 2024 - 5:30 PM**

**THE HUBBARD ROOM  
123 DOWNS DRIVE  
RUIDOSO DOWNS, NEW MEXICO 88346**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF CONSENT AGENDA

**(The consent agenda is approved by a single motion.)**

- A. \*Approval of Fiscal Year 2025 Budget Process.
- B. \*Approval of Personnel Recommendation to Hire Miguel Gallegos-Flores for the Position of Street Maintenance Worker for the Public Works Department.
- C. \*APPROVAL OF GOVERNING BODY MINUTES

- \*March 11, 2024, Workshop Meeting Minutes
- \*February 26, 2024, Regular Meeting Minutes
- \*February 12, 2024, Regular Meeting Minutes
- \*January 22, 2024, Regular Meeting Minutes
- \*January 8, 2024, Regular Meeting Minutes
- \*December 11, 2023, Regular Meeting Minutes

6. PUBLIC INPUT

**(Citizens who wish to speak must sign the Public Input Registration Form located in the Council Chambers, prior to the beginning of the meeting. There is a 3-minute time limit to address your concerns to the Governing Body.)**

7. COUNCILORS COMMENTS
8. MAYORS COMMENTS

- A. Monthly Reports and Presentations

9. PUBLIC HEARING:

- A. Adoption of Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting

the 2023 Lincoln County Multi- Jurisdictional Hazard Mitigation Plan Update.

10. UNFINISHED BUSINESS

- A. Determination of Sara Sorenson, on behalf of herself, Will Sorenson, Charlie Sorenson, and Mike Sorenson Appeal of The Planning Commission Approval of P & Z Case 2023-11, Approving Conditional Use to allow for a Recreational Vehicle Park at the Property located in a C-2 Zoning District.
- B. Discussion and Possible Action on approval of a Pay Raise for all Police Department Personnel After Restructuring of Police Department Personnel.

11. NEW BUSINESS

- A. Discussion and Possible Action on approval of the Sewer Line Maintenance Agreement for the Joint Interceptor Crossing at US Highway 70 Between the Village of Ruidoso and the City of Ruidoso Downs to Include Cardinal Drive and Swallow Drive.
- B. Discussion and Possible Action on approval of Submittal of the NMDFA Grant Application for Law Enforcement Protection Funds.
- C. Discussion and Possible Action on the Appointment of Fire Chief, Heath Keck to the Consolidated Joint Dispatch Board.
- D. Discussion and Possible Action on the Appointment of Mayor Pro-Tem, Judy Miller to the Consolidated Joint Dispatch Board.

12. ADJOURNMENT

If you are an individual who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk's office at least one week prior to the meeting or as soon as possible.

# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

APPROVAL OF CONSENT AGENDA - A.

**To:** Mayor Holman and Councilors

**Presenter(s):** Finance Director

**Meeting Date:** March 25, 2024

**Re:** \*Approval of Fiscal Year 2025 Budget Process.

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### **Item Summary:**

Fiscal Year 2025 Budget Process please see attached.

At the March 11, 2024 Workshop, it was the consensus of the City Council this item be listed as a Consent Agenda item.

### **Financial Impact:**

### **Recommendations:**

To approve, Fiscal Year 2025 Budget Process.

### **ATTACHMENTS:**

Description

DFA- FY 24/25 Budget Preparation & Submission Guidelines

Council.budget process. 25

FY 2025 Interoffice Memo Budget Amended



**New Mexico**  
**Department of Finance**  
**and Administration**

**407 Galisteo St,**  
**Santa Fe, NM 87501**  
**(505) 827-4985**

**Governor Michelle Lujan Grisham**  
**Cabinet Secretary Wayne Propst**

**Local Government Division**  
**Wesley Billingsley, Division Director**

**MEMORANDUM BFB #24-04**

**TO:** New Mexico Counties and Municipalities

**FROM:** Wesley Billingsley, Director, Local Government Division

**DATE:** February 21, 2024

**SUBJECT:** Fiscal Year 2024-25 Budget Preparation & Submission Guidelines for Counties and Municipalities

DocuSigned by:  
*Wesley Billingsley*  
D891C24BB85B4E9...

We cordially provide the following guidelines to ensure statutory compliance with Section 6-6-2 NMSA 1978 that requires each local public body to furnish and file with the Department of Finance and Administration (DFA), Local Government Division (LGD) a proposed (interim) budget for the next fiscal year. Furthermore, this statute authorizes the LGD to prescribe the form for all budgets, books, records, and accounts for local public bodies.

Pursuant to Section 6-6-2.K. NMSA 1978, DFA/LGD requires that Fiscal Year 2024-25 interim budgets for counties and municipalities be submitted on the Local Government Budget Management System (LGBMS). Additionally, budget supporting schedules in the prescribed Excel format must also be submitted electronically as attached files via LGBMS.

Please note, submission of a *NEW* Security Access Form (SAF) for each individual within your local government who requires access to the system for Fiscal Year 2024-25 is required. To safeguard the data submitted on LGBMS, be sure to submit a SAF to deactivate the account of anyone that no longer in need of access to the system or has left your organization.

The Security Access Form (SAF), LGBMS User Guide, LGBMS FAQ document, and other information can be found going to the following link:

<https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/lgbms/>

**Guidance and Tips**

We offer the following recommendations in preparing a balanced interim budget, in the event your local government is facing financial/budgetary challenges:



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- Adopting and applying a formal policy that strictly disallows recurring expenditures from cash balances and non-recurring revenues,
- Implementing an immediate freeze on all current vacant employee positions (excluding health and public safety services positions) as well as increases to employee salaries (excluding union contractual obligations),
- Implementing an immediate freeze on any new non-essential contracts that affect the General Fund,
- Discontinue the practice of providing funds to any non-profit organizations that are not tied to a legislative appropriation

#### INTERIM Budget Deadlines

<b>Counties &amp; Municipalities</b>	Budget Submittal on LGBMS	June 1, 2024 (Submission extensions cannot be granted)
	Budget Resolution	June 1, 2024 (Optional at this date)
	Property Tax Resolution	June 1, 2024 (Changes to the operating or GO Bonds mill levy)
<b>LGD</b>	Interim Approval Letter	July 1, 2024

*NOTE: Approval of the interim budget designates it a legal binding document until the final budget is approved.*

#### FINAL Budget Deadlines

<b>Counties &amp; Municipalities</b>	Budget Revisions on LGBMS	July 31, 2024
	Budget Resolution	
	Budget Supporting Schedules	
	4th quarter report	
	4th quarter report Resolution	
<b>LGD</b>	Final Approval Letter	September 6, 2024

*NOTE: Approval of the final budget designates it as a legal binding document. The final budget as approved on LGBMS is the official budget of record for your local government.*

#### Additional Required Items

#### Resolutions



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Sample resolutions for budget and 4th quarter report adoptions can be found at the following link:  
<https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-forms/>

### Supporting Schedules

Required schedules that support the budget are listed below and can be found at the following link:  
<https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-forms/>

Property Tax Calculation Worksheet	Calculates projected property tax revenue.
Debt Schedule	Lists all outstanding debt {loans, revenue & general obligation bonds}. <i>Electronically in LGBMS.</i>
S-5 (DETAIL OF NON-BUDGETED RESERVE REQUIREMENTS form)	Lists additional reserves (not LGD required reserves which are automatically calculated by LGBMS) and must tie to amounts reported in LGBMS under Object Code 10105 Locally Imposed Reserve.
Revenue Checklist	Lists all GRT imposed increments including intercepted GRT amounts [refer to Memorandum #BFB-19-02 "Guidelines for Reporting Gross Receipts Tax and Various Intercepts" however, due to de-earmarking of GRT revenue (enactment of 2019 House Bill 479), local governments have more discretion in budgeting revenue so long as "GRT" LGBMS line items are used for tracking purposes; refer to Memorandum #BFB-21-05 "Guidelines on Revised GRT Reporting Codes"] located on our website: <a href="https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-memos/">https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-memos/</a> .
Form S-2 (SCHEDULE OF INSURANCE)	Lists all insurance costs.
Salary Schedule	Lists salaries and benefits associated with each budgeted position; [Personnel schedules generated from your systems will be accepted].
County Elected Official Salary Schedule	Lists salaries of all county elected officials to review compliance with NM Statutory caps.
FY24 Co-Muni Budget Work Plan Questionnaire	Describes major issues affecting an entity's FY2024-25 budget and how those factors are being addressed in the budget.

### 4th Quarter Report

This report must be submitted on the LGBMS Reporting Module, under the "FY2024 Q4" reporting period. A governing body approved resolution approving the 4<sup>th</sup> Quarter Report is also required and must be attached in the "files" menu of the LGBMS Reporting Module.



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#### OTHER:

Items on the Budget Recapitulation (Recap) Page to be aware of:

- Beginning cash on recap page **must tie** to the **4th quarter report ending cash** (before reserves)
- Investments **must be** reported in the investment's column
- Total Transfers **must always** equal to zero (LGBMS will flag this as an error)
- Adjusted Ending Cash balances of any Fund **cannot be negative**, including Funds that are awaiting grant reimbursements (LGBMS will flag this as an error)
- County Expenditure Limitations: Pursuant to Section 6-6-7 NMSA 1978, county officials may not expend in excess of 50% of the approved budget for the fiscal year during which the terms of office of any official will expire.

#### Local Governing Body Procedures for Credit Card and Electronic Transfer Payments

Pursuant to 6-10-1.2, NMSA 1978, the Department of Finance and Administration (DFA), Local Government (LGD), Budget and Finance Bureau (BFB), is streamlining the process on how the Local Governing Bodies submit their internal policies and procedures dealing with the acceptance of payments by credit card or electronic transfers at the local level.

As noted in 6-10-1.2:

*"The local governing body shall adopt procedures, subject to the approval of the **department**, on the terms and conditions of accepting payments by credit card or electronic transfer."*

**"Department" is the Department of Finance and Administration (DFA).**

"Checklist for Acceptance of Credit Cards and Electronic Transfers" and supporting documentation required with the **"Checklist"** to be submitted with the **Interim Budget, on or before June 1, 2024**, located at the following link: <https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-forms/>

#### STATE REQUIRED RESERVES (LGBMS will automatically calculate)

General Fund Reserve Requirements	Muni Reserve is 1/12 <sup>th</sup> of total budgeted expenditures
	County Reserve is 3/12 <sup>ths</sup> of total budgeted expenditures
County Road Fund Reserve Requirements	County Reserve is 1/12 <sup>th</sup> of total budgeted expenditures

#### Salary Increases

One- time temporary salary increases (known as bonuses) are not allowed.



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See the "July 2, 2008 Memo Performance Bonuses, Retroactive Pay Increases and Bonuses In Lieu of Pay Increases" memo located at the following link: <https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/budget-memos/>

#### **Law Enforcement Protection Fund (LEPF)**

Budget LEPF distributions in LGBMS under **Fund 21100 Law Enforcement Protection**, Department 1005 County Sheriff –or- Department 3001 Law Enforcement, **Object Code 47110 Law Enforcement Protection (DFA)**.

- LEPF funds should be expended to zero each fiscal year.
- If a balance remains at the end of the previous fiscal year, approval from LGD is required prior to spending. After June 30<sup>th</sup> but on or before July 31<sup>st</sup>, please fill out the LEPF Carryover Request Form.

**For additional information, please contact:** Contact: Julie Krupcale, [julie.krupcale@dfa.nm.gov](mailto:julie.krupcale@dfa.nm.gov), or 505-269-2845

#### **Local Assistance Tribal Consistency Fund (LATCF)**

Budget LATCF distributions in LGBMS as follows:

- Fund 11000 General Fund,
- Revenue line item "0001"
- Object Code "47600 Federal – Local Assistance Tribal Consistency Fund (LATCF)"

#### **New Mexico's Cannabis Regulation Act**

Cannabis revenue does not have any expenditure restrictions, therefore, for reporting purposes, and to not lose its identity, LGD is requiring all Cannabis revenue and related expenditures be reported in "**Fund 28000**".

#### **New Mexico Opioid Allocation Agreement (NMOAA)**

Budget NMOAA opioid settlement funds awarded to eligible counties and municipalities under **Fund "27000 LG Abatement Opioid Fund"** using available line items that best fit settlement agreement requirements.

*Pursuant to NMOAA requirements, every participating local government shall create a separate fund, called the "LG Abatement Fund". Abatement funds shall not be commingled with any other money or funds of the local government.*

#### **Law Enforcement Retention Fund**

**Statute: NMSA 1978, § 9-19-14**

**Administering Agency: DPS**

DPS The department shall administer the fund to provide:

- retention differential disbursements for law enforcement officers meeting certain levels of tenure; and
- support for disbursement administration processes and reporting compliance.



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DPS appropriation encompass restrictions, therefore, for reporting purposes, LGD is requiring all DPS revenue and related expenditures be reported in **Fund “21300 DPS- Law Enforcement Retention”**.

For additional information or questions contact: Contact: Sylvia Serna, [sylviam.serna@dps.nm.gov](mailto:sylviam.serna@dps.nm.gov), 505-827-3347

#### **Law Enforcement Recruitment and Retention Stipends (LERRF)**

Funding provided by DFA to distribute to local law enforcement agencies to provide recruitment and retention stipends to law enforcement officers. This includes: a Stipend for those who are recruited, trained, and become certified law enforcement officers; a stipend for a recently trained and hired law enforcement officer; a stipend for a current law enforcement officer. Law enforcement officers should be at their department for more than one year for stipend. All year two appropriations must be expended on or before June 30, 2024; any cash balance will require revision to DFA. The final report data submitted to LGD must reconcile with the fourth quarter financial report in LGBMS. Allocation for FY25 (year 3) must be budgeted in the following fund: 21211. For Information or questions contact: Geovanna Losito, [Geovanna.Losito@dfa.nm.gov](mailto:Geovanna.Losito@dfa.nm.gov) or 505-827-8051.

#### **Law Enforcement Recruitment Fund –(LERF)**

Statute: NMSA 1978, § 9-6-5.3

Administering Agency: DFA

The department of finance and administration shall establish a program to distribute funds for local law enforcement agencies to provide recruitment and retention stipends to law enforcement officers. The program shall establish criteria for distribution of funds appropriated for that purpose, prioritizing recruitment and retention of personnel to increase investigative capacity. The program shall also establish appropriate guidelines on the use of those funds, including recruitment and retention stipends that may be distributed to:

- A person who is not certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency, provided that the recipient successfully obtains such certification.
- A person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient remains employed with that agency for three months; and
- A person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act currently employed by a law enforcement agency, provided that the law enforcement officer remains employed with that law enforcement officer's current agency for one additional year



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DFA grant agreements encompass restrictions, therefore, for reporting purposes, LGD requires allocation for FY25 (year 2) must be budgeted in the following fund 21221. All FY24 appropriations must be expended on or before June 30, 2024; any cash balances not expended will require reversion to DFA. The Final Report data submitted to LGD must reconcile with the fourth Quarter Financial Report. For information or questions, contact: Contact: Bianca Quintana, [Bianca.Quintana@dfa.nm.gov](mailto:Bianca.Quintana@dfa.nm.gov), 505-231-3052.

### Budget Training

- DFA Local Government Division, Budget, and Finance Bureau (BFB) will be providing a virtual training on **March 21, 2024, from 9:00 am to 11:30 am** on **"Introduction to Local Government Budget Management System (LGBMS)-Budgeting 101 training for new users"** presented by BFB Analysts. A virtual "Teams Meeting" invitation will be sent out by your analyst in the next couple of days. Please "accept" this meeting invitation to add to your calendar.
- **TARGETED AUDIENCE: Newly hired local government finance staff and anyone with new job duties that include LGBMS Budget reporting.**

If you have any further questions, please contact your assigned analyst. Staff contact information can be located at the following link: <https://www.nmdfa.state.nm.us/local-government/budget-finance-bureau/>

xc: BFB Analysts  
Jeannette Gallegos, Local Government, Deputy Director  
[jeannette.gallegos@dfa.nm.gov](mailto:jeannette.gallegos@dfa.nm.gov)  
Shawna Sasser, Rural & Frontier Equity Ombudsman  
[shanna.sasser@dfa.nm.gov](mailto:shanna.sasser@dfa.nm.gov)  
Bianca Quintana, LGD-LERF Administrator  
[Bianca.Quintana@dfa.nm.gov](mailto:Bianca.Quintana@dfa.nm.gov)  
Geovanna Losito, LGD-LERRF Administrator  
[Geovanna.Losito@dfa.nm.gov](mailto:Geovanna.Losito@dfa.nm.gov)  
Alison M. Nichols, NMML  
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Alanna Goodman, Office of the State Auditor  
[alanna.goodman@osa.state.nm.us](mailto:alanna.goodman@osa.state.nm.us)  
Joy Esparsen, NMC Executive Director  
[jesparsen@nmcounties.org](mailto:jesparsen@nmcounties.org)  
File

## **Fiscal Year 2025 Budget Process**

**March 1, 2024** - The Finance Director will send worksheets to everyone who has a budget in the city.

**March 15, 2024** – Everyone's deadline for submission of worksheets and Capital purchases back to the Finance Director.

- Everyone will be given **2 weeks** to complete.
- No changes will be made after this due date.
- Everyone is responsible for keeping a copy of their worksheets for reference.

**April 1, 2024, and/or April 4, 2024** – Governing Body Budget Workshop

- The Governing Body has the authority to go line by line.
- The Finance Director will use the binders with all of the information provided by all of the city staff and provide the recap sheet to get the budget in balance.
- All of the materials provided in the binders will remain confidential until the budget is presented to the Governing Body for approval. This includes any requested copies of information in the binders. All binders and information will be shredded upon completion of the workshops.

**May 13, 2024** – If ready present the Interim Budget to the Governing Body (Workshop)

**May 27, 2024** – Present the Interim Budget to the Governing Body (Regular Meeting)

**June 1, 2024** – Interim Budget due to DFA.

**July 8, 2024** – If ready present the Final Budget to the Governing Body (Workshop)

**July 22, 2024** – Present the Final Budget to the Governing Body (Regular Meeting)

**July 31, 2024** – Final Budget due to DFA.


**PASSED and APPROVED** on the 25<sup>th</sup> day of March 2024 in regular session by the City of Ruidoso Downs Governing Body.

City of Ruidoso Downs  
Interoffice Memorandum

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Mayor Dean Holman

**To: Department Directors and Judge**

**From: Mary Castaneda, Finance/Procurement Director** 

**Date: 3/1/24**

**RE: 2025**

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We are now working on the next fiscal year budget, which begins July 1, 2024. Attached are Budget Worksheets for your departments. They include one (1) prior year and the current year through February 2024. On the blank line to the right side please write in your requested budget amount for the 2025 budgets. This needs to be operations line items only; **all PAYROLL BUDGETS will be added through this office.**

“Capital Expenditures” will be projects, which have grant money involved. Make sure that you include the requests by priority with the highest priority being #1. (This form can be e-mailed if requested.)

Remember that the overall budget will be conservative, with very few increases, due to the current economy. So please keep this in mind as you prepare the budgets for your departments.

Should you have any questions with any of the budget line items, please do not hesitate to contact me.

Once I receive the budget worksheets with your request, I will set up meeting times for each department. We will discuss your budget. Once this is done, we will have the budget workshops starting on April 1st at 9:00 a.m. with all the governing body and continuing into April 4, at 9:00 a.m. if needed. My objective is to have the preliminary budget finished no later than the first council meeting in May.

If you are applying for any grant monies, I will need copies of the applications so that I can make sure the revenues are reflected correctly within the budget. All Fire, EMS, and Police budgets require copies of the grant monies requested.

**These budget worksheets must be returned no later than Friday, March 15, 2024, at 3:00 p.m. It is your responsibility to keep copies of your worksheets.**

Thank you.

# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF CONSENT AGENDA - B.**

**To:** Mayor Holman and Councilors

**Presenter(s):** Public Works Director

**Meeting Date:** March 25, 2024

**Re:** \*Approval of Personnel Recommendation to Hire Miguel Gallegos-Flores for the Position of Street Maintenance Worker for the Public Works Department.

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#### **Item Summary:**

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Ruidoso Downs, for the Public Works Department as the Street Maintenance Worker under the supervision of the Public Woks Director.

General Information:  
Miguel Gallegos-Flores  
Street Maintenance Worker  
\$16.00 per hour

At the March 11, 2024 Workshop, it was the consensus of the City Council this item be listed as a Consent Agenda item.

#### **Financial Impact:**

This positions salary is included within FY 2024 budget.

#### **Recommendations:**

To approve, the Personnel Recommendation to Hire Miguel Gallegos-Flores for the Position of Street Maintenance Worker for the Public Works Department.

#### **ATTACHMENTS:**

Description

Discussion and Possible Action - Personnel Recommendation - Public Works - Street Maintenance Worker

# City of Ruidoso Downs

## Interoffice Memorandum

Mayor Dean Holman

**To:** The Members of the City Council

**From:** Joe Jarvis, Public Works Director

**Date:** February 28, 2024

**RE:** Recommendation to Hire Miguel Gallegos-Flores for the position of Street Maintenance Worker

JJ

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Ruidoso Downs, subject to a pre-hire drug screen, background check and physical examination. If any problems arise, the Mayor and/or City Clerk may pull the item off the agenda prior to the Council meeting.

### **General Information:**

Name: Miguel Gallegos-Flores

Classification/Position: Full-Time

Department: Public Works

☒ Regular

☒ Full Time

☒ Hourly - \$16.00 per hour

☐ Seasonal

☐ Part Time

☐ Salary \$\_\_\_\_\_ per annum

☐ Temporary

☐ On Call

### **Education Level:**

☒ High School Diploma

☐ GED or equivalent

☐ Associates Degree

☐ Bachelors Degree

☐ Masters Degree

\_\_\_\_\_

☐ Other

\_\_\_\_\_

### **Employment:**

Present or last Employer: Casa Blanca Restaurant and Ruidoso Athletic Club

From: Casa Blanca (2021 – Present) Ruidoso Athletic Club (2023-Present)

**Related Experience:** Has some experience with chainsaws, jackhammers, shovels, rakes, and hand tools.

# AGENDA MEMORANDUM

## CITY OF RUIDOSO DOWNS

### APPROVAL OF GOVERNING BODY MINUTES -

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*March 11, 2024, Workshop Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Workshop Session on March 11, 2024, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, March 11, 2024, Workshop Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft March 11, 2024, Workshop Meeting Minutes

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, WORKSHOP MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
MARCH 11, 2024**

The City of Ruidoso Downs Council met in a workshop session on Monday, March 11, 2024. Mayor Holman called the workshop meeting to order at 3:00 p.m. and lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Proctor, Councilor Baber, Councilor Miller, Councilor Lacewell

**Meeting Participants:**

Alejandra L. Giron, City Clerk/Treasurer  
Donna Miller, Human Resource Specialist  
Joey Jarvis, Public Works Director  
Robert Knight, Deputy Police Chief

**Meeting Participants via Phone:**

Mary Castaneda, Finance Director

**NON- ACTION ITEM(S):**

**A.** Discussion on Fiscal Year 2025 Budget Process.

After discussion, it was the consensus of the City Council this item be listed as a Consent Agenda item for the Regular City Council Meeting, March 25, 2024 with the amendment of the Budget Workshops to be on April 1, 2024, and/or April 4, 2024.

**B.** Discussion on Personnel Recommendation to Hire Miguel Gallegos-Flores for the Position of Street Maintenance Worker for the Public Works Department.

After discussion, it was the consensus of the City Council this item be listed as a Consent Agenda item for the Regular City Council Meeting, March 25, 2024.

**C.** Discussion on Affirming a Pay Raise for All Police Department Personnel After Restructuring of Police Department Personnel.

After discussion, it was the consensus of the City Council this item be listed under Unfinished Business for further discussion at the Regular City Council Meeting, March 25, 2024.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the workshop meeting at 4:30 p.m.



**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

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Dean Holman, Mayor

**ATTEST:**

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Alejandra L. Giron, MMC  
City Clerk/Treasurer



# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF GOVERNING BODY MINUTES -**

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*February 26, 2024, Regular Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Regular Session on February 26, 2024, Regular Meeting Minutes, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, February 26, 2024, Regular Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft February 26, 2024, Regular Meeting Minutes

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
FEBRUARY 26, 2024**

The City of Ruidoso Downs Council met in a regular session on Monday, February 26, 2024. Mayor Holman called the regular meeting to order at 2:00 p.m. and asked Councilor Baber to lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Proctor, Councilor Baber, Councilor Miller, Councilor Lacewell

**Meeting Participants:**

John Underwood, City Attorney  
Alejandra L. Giron, City Clerk/Treasurer  
Joe Commander, Police Chief  
Robert Knight, Deputy Police Chief  
Joey Jarvis, Public Works Director  
Jennet Recendez, Planning Services Director  
Blythe Gilmore, Court Administrator

**Meeting Presenters via Zoom:**

Melissa Martin, Sorensons' Attorney  
Sara Sorenson, zoning appellant

**Meeting Presenters:**

Alexandra Bobbit, Ontiveros' Attorney  
Edgar Ontiveros, zoning applicant  
Luther Light  
Brian Roberts  
Cassidy Meeks  
Thomas John Lewicki

**APPROVAL OF AGENDA**

Councilor Miller moved to approve the agenda with the postponement of Item F, under New Business. There being no second, the motion died.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

**A. \*APPROVAL OF GOVERNING BODY MINUTES**

- \*December 11, 2023, Regular Meeting Minutes
- \*January 8, 2024, Regular Meeting Minutes
- \*January 22, 2024, Regular Meeting Minutes
- \*February 12, 2024, Regular Meeting Minutes

No motion was made for the Approval of Consent Agenda.

**PUBLIC INPUT**

No Public Input was given.



## **COUNCILORS COMMENTS**

Councilor Lacewell moved to have her statement be listed verbatim in the minutes. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Lacewell stated, “Good afternoon to the citizens of Ruidoso Downs. New Mexico state statute 3-11-5 states, ‘If the governing body fails to confirm any person as an appointive official or employee of the municipality, the mayor, at the next regular meeting of the governing body shall submit the name of another person to fill the appointed office or to be employed by the municipality.’ At the first city council meeting of this governing body, during our organizational meeting, under the above stated statute, we did not confirm two appointed officials and two employees of the municipality. Essentially that means that two (2) weeks later, on January 22<sup>nd</sup>, those four (4) individuals should have been replaced, and they should no longer be working for our city. I researched the word statute and found that it clearly stated that, ‘A statute is essentially a written law that is enacted by a legislative body, such as Congress or a state legislature. It is a formal rule or regulation that is codified and recorded in the book. Once a statute is enacted, it becomes part of the legal framework of the jurisdiction in which it was passed. Mr. Underwood told me that ‘shall’ is a mandatory word for a discretionary act. He kindly said that the mayor doesn’t have to do it. I maintain that putting the mandatory word ‘shall’ in front of a statutory requirement makes it mandatory. This mayor has had three (3) opportunities in two (2) months to obey the law, but he has willingly and knowingly disobeyed the law. And I’m thinking three (3) strikes and you’re out. As a governing body, what we are trying to do is what we were elected to do for the good of the city, and we have heard what the citizens of the City of Ruidoso Downs want. This mayor is intentionally breaking the law, and is continuing to be negligent in fulfilling his oath of office by acting contrary to state statutes. We must take the next step, a legal step, to see that he is accountable for his lack of action, and refusal to obey the law.”

Councilor Proctor stated, “Last Friday, I guess they were supposed to have turned in our list to get on the agenda and it didn’t get out to everybody. So, I came in. I think it was that Monday or that Tuesday, I’m sorry, and spoke to the City Clerk. And we agreed to that if a holiday falls on a Monday, they can’t get it turned in on Tuesday at 10 o’clock and then it will let her have an extra day just like the Council meeting moving on. And she agreed to that. I don’t see the need to put it on any kind of Resolution or anything. I just wanted to let the rest of the governing body know and the audience know. When the holiday falls on the Monday we’re supposed to turn in it on it. It will go to Tuesday and she’ll have Tuesday from 10 o’clock, Wednesday, and Thursday, and put them out sometime Thursday afternoon. And that’s still earlier than what we were getting them.”

Councilor Miller made comments.



## **MAYORS COMMENTS**

Mayor Holman had no comments.

The Public Works Director presented on the operations of the Public Works Department for the month of January.

The Planning Services Director presented on the operations of the Planning & Zoning Department for the month of January.

The Deputy Police Chief presented on the operations of the Police Department for the month of January.

The Fire Chief presented on the operations of the Fire Department for the month of January.

The Finance Director presented on the operations of the Finance Department for the month of January.

The Court Administrator presented on the operations of the Court for the month of January.

## **PUBLIC HEARING:**

A. Sara Sorenson, on behalf of herself, Will Sorenson, Charlie Sorenson, and Mike Sorenson Appeal of The Planning Commission Approval of P & Z Case 2023-11, Approving Conditional Use to allow for a Recreational Vehicle Park at the Property located in a C-2 Zoning District.

The City Attorney stated, “So it’s the first one of these that we’ve had in quite some time, and certainly with this new council. So, I thought I might give some ground rules of where we are. Appeals are handled in Section 155.021 of the Land Usage Code of the Ruidoso Downs. So, a person has a right to appeal a decision that was made in the Planning Commission and this commission. And the person who has agreed to this decision has the right to appeal it to district court. For that reason, I will be swearing in all witnesses today, because today’s testimony has to be taken verbatim because it’s a court record. So, with that, the way that this works and the way we’ll have it is that the appellant will present their case first, ok. I will ask Jenet to introduce the subject, on behalf of the city, and then the appellant will have the opportunity to state their reasons for their appeal and the appellee, the person who was granted the conditional use permit will then have the opportunity to state the reasons for not granting the appeal. Each party will have the right to cross examine witnesses of the other party. But what I want you to understand, council, is that I’m not going to follow specifically the rules of evidence. If you become argumentative with the witness. I’ll ask that you not be argumentative. I’ll ask that you try any leaning questions to a minimum. But in order to move the matter a long, so that we are not here till ten o’clock at night. I’d ask that we move the matter a long expeditiously. But I know it’s an



important issue for the parties that are involved in it and it deserves a full hearing. At the close of that, I will present the city's case of why the Planning & Zoning sided the way that they did and under what theory or quality they found that there was conditional use to be granted. And after all that is heard, the public will have an opportunity, at that point in time, those who haven't been witnesses prior to. If the public has any reason that they want to state, one way or the other, for what they believe before the council takes it under consideration, they may do so. After that point in time, it turns into a council matter. The council can then discuss whether or not to uphold the appeal or to deny the appeal. Questions?"

Councilor Lacewell stated, "Yes, does that mean we're literally voting on that today?"

The City Attorney stated, "Mhmm."

Councilor Lacewell stated, "Oh, wow."

Councilor Miller stated, "I didn't understand that either, I thought it was just."

The City Attorney stated, "You may delay your decision for a period of time, but it is a matter that is being appealed and to be voted on at the time of the appeal. If you want to put it off for any reason for putting it off for, what is it, fifteen (15) days."

Mayor Holman stated, "And as I stated, a while ago, when you rose that, you'll be getting that information, correct John? From both sides."

The City Attorney stated, "If the City will hear the appeal and render a decision within forty-five (45) days, so."

Councilor Miller stated, "We could put it off then because I haven't had a chance to go look at it or anything yet, so."

Mayor Holman stated, "Ok so."

The City Attorney stated, "Ok but the witnesses and the attorneys are not required to come back. You will just simply rework it out on what you've written down. And you are permitted to take notes on it."

Councilor Miller stated, "Ok, thank you."

Mayor Holman stated, "Ok so, I guess the next move then is to ask for a motion to postpone this item?"



The City Attorney stated, “No.”

Mayor Holman stated, “This item, no?”

The City Attorney stated, “What we’ll do is we’ll go ahead and have it carried today. And then the council, if it doesn’t want to make a decision today, they postpone that decision.”

Mayor Holman stated, “Ok, yeah. Well, that makes sense. Ok.”

The Planning Services Director stated, “Hi, it’s me again, council. I (inaudible).”

Mayor Holman stated, “This will be the city’s position.”

The City Attorney stated, “Basically, she’s going to present what happened at the Planning & Zoning meeting. And we have minutes of that Planning & Zoning meeting which we’d be happy to hand out, where the decision was made but the decision was itself is in your notebook.”

The Planning Services Director stated, “So, Mr. Edgar Ontiveros came to apply for a conditional use to allow recreational vehicle use parked at the property located at 26557 US Highway 70, but there was some issues with how the Ordinance was written on how the Planning & Zoning Commission took it and interpreted it themselves. They decided to grant the conditional use required because it is in a C-2 commercial property, and I also have Mr. Luther Light here, the chairman of the Planning & Zoning Commission. So, he can explain that a little bit better than I can.”

Luther Light stated, “(inaudible) now.”

The City Attorney stated, “Yes, please.”

Luther Light stated, “During the, I guess the neighbors challenge to this is that the property in question has an easement running through it, an egress easement of the property is down by the river and there’s a thirty (30) foot wide egress easement, egress and utility easement running through another piece of property up to Highway 70. The people whose property runs through, I guess are opposed to the using of the piece of property down by the river as a RV park. There case with that, our Ordinance says specifically that recreational vehicle park shall abut and have access to major arterial streets and shall be a minimum of two (2) acres. So, this meets. The property down by the river meets the minimum of two (2) acres there. Their argument was that, it doesn’t technically abut the Highway 70. The Planning & Zoning Commission, along with Mr. Underwood read abut and have access as they have that easement out to the highway and it’s a thirty (30) foot wide easement which is what the width of what our streets, all of our streets except Highway 70 as a right of way. So, it’s certainly big enough for two (2) RVs to pass you



know side by side in each direction on the property and on the easement. I guess in the meeting, the Planning & Zoning Commission decided that the intent of this access requirement in general, requirements is that we don't want two (2) acre RV park to exit out into a small residential street. Like you wouldn't want a two (2) acre RV park to (inaudible) back on to River Lane and then all of the RVs would have to go down River Lane and then up Parker Road to get to Highway 70. The intent is that they have essentially a driveway to major arterial or a major arterial such as Highway 70. So, we interpreted abut and have access as being there egress easement across this other piece of land. We did offer, the neighbors were also concerned about having children on this. You know, maybe being endangered on this easement and we offered to have, as a condition, to put up a fence along the easement, to keep people from running in front of RVs. And I think, they declined that?"

The City Attorney stated, "Never heard back."

Luther Light stated, "Never heard back. Ok, so, we offered that as a minimum and we also set a five (5) mile per hour speed limit, as a condition of granting this conditional use. I, it's probably one of the highest and best uses of this property and I think it would bring in, you know gross receipts tax for the city and the people who bought it intended to turn it into an RV park from the time that they bought it. So, from the Planning & Zoning Commission's point of view, this is, seems like a good use of this piece of property. And we certainly see that we have a need to have RV parks in the area. So, any questions?"

Councilor Baber stated, "So the lawyers are reading it one way and you're reading it another?"

Luther Light stated, "Some of the lawyers are reading it one way and some of the lawyers are reading it another. The Planning & Zoning Commission is reading it, I guess, in the way that I think it was probably written in for the way that we design our RV parks in this town. There are other RV parks that have the same amount of access on to Highway 70 across other pieces of property. So, and we tend to not have RV parks that dump out into other smaller small little streets."

Mayor Holman stated, "Councilor Proctor, did you have something?"

Councilor Proctor stated, "Yes. So, what you're saying is the property down there by them all should've had a piece of their land that went all the way up."

Luther Light stated, "No, not necessarily, I mean like when they subdivided it they, because you can't land block a piece of land. So, when they subdivided it, a few years ago they specifically asked for and have a surveyor draw in an easement and that provides access to the piece of land. It doesn't have to be a property. I live on a road on the North side of the river and the city maintains the road, but it's on my property. The city has an easement for Parker Road through



my property. It's the way many roads are done. So, it's not, I don't think there was an oversight to not have a piece of property run up to the highway. The way this has always been taken care of is. Usually, you put the easement along an existing road which is, I believe what they did. They just ran the center line an offset fifty (50) feet on each end. It can be approved and it would probably have to be approved but it, it, there's no oversight on the part of the surveyors or the previous owners to maintain an actual physical piece of property. This is, having an easement is very common for this type of situation."

Councilor Proctor stated, "So these that I look at them on the map, Luther stipulated that it was for utilities underground?"

Luther Light stated, "Utilities and egress."

Councilor Proctor stated, "I don't see the word egress on there."

Luther Light stated, "It's, it's on the plot, the main plot that we were given. It said utilities and egress."

(inaudible)

Luther Light stated, "A utility easement is typically it wasn't a very big utility easement but for an overhead power line, a large overhead power line they're usually only two hundred fifty (250) feet. So, thirty (30) feet is usually the standard for a road."

Councilor Miller stated, "I just feel like that's what's in that are quite a bit, is RV parks. And I think it would be a great thing for people. There's not enough houses for people. A lot of people can't get workers because they don't have anywhere to live. And you see how these other parks fill up in the summer, not so much in the winter. But it is a good business, it sounds like."

Luther Light stated, "That's kind of beyond the scope of Planning & Zoning. I mean if you asked my personal opinion would I like for them to put in a bunch of affordable home, absolutely. Would they be profitable, probably not? So, I understand why they're doing RVs. You know, Planning & Zoning, they just said we want to do this and its conditional use, we heard it and this is how we pose our position on it. This is why."

Councilor Miller stated, "Well, I feel like it would be a great business for Ruidoso Downs because we don't have that many, you know, places for people to live. We get people here that want to come and work but they can't find a house a lot of times, so."

Luther Light stated, "I will say, it states in our ordinance that the only place in the City of Ruidoso Downs, where you can currently live in an RV, is in an RV park."



Councilor Miller stated, “Yes.”

Luther Light stated, “You want people to live in, like be able to live in an RV park they are.”

Councilor Miller stated, “They’re small homes.”

Luther Light stated, “Affordable, you could live in an RV park. So, in that respect that those provide, I guess you could (inaudible).”

Councilor Miller stated, “I haven’t had a chance to go out and look at it. Seems like every time I want to something comes up. I think, I hear from everybody. I want to hear what all of the neighbors say.”

Councilor Lacewell stated, “So I’ve looked at this. I’ve printed it out. I’ve colored it. That RV Park is a great idea on the little land lot. Did I perceive you to say that the easement is fifteen (15) feet on the Sorenson property?”

Luther Light stated, “You know, it’s all on one piece of property. I’m saying its fifteen (15) feet. The way surveyors typically lay these out is they just run the center line of the road. And then offset that center line on each side of the center line. So there, they put the easement on top of an existing road, they put a road on the easement.”

Councilor Lacewell stated, “I see, so I did see that the driveway easement. To me a driveway easement is typically (inaudible). Whereas, a commercial easement is something that is more designed for a whole lot of traffic. I’m not following here, but it seems like the easiest way to fix this is to make a new easement that goes across the Lewicki property and straight up there without getting into the Sorenson property. Is that a possibility?”

Luther Light stated, “I have no idea. I’m not, I don’t know any of the neighbors (inaudible). They could, if you could find somebody else who would give them access and would allow them to set up an easement that would certainly be allowed, they would have to replat it.”

Councilor Lacewell stated, “Ok and will the, I know the Sorensens are up on the screen there. Will the Lewicki’s be given an opportunity to speak as well?”

Luther Light stated, “I don’t have the foggiest idea.”

Councilor Lacewell stated, “Oh, you’re not in charge of this meeting?”

Luther Light stated, “I am not in charge of this meeting.”



Councilor Lacewell stated, “Well, thank you for the information.”

Mayor Holman stated, “I would like to state because I think this might be an appropriate time, Councilors, we are really fortunate to have the P&Z committee members that we do. Especially, Luther Light, he’s been there a long time. I attended that meeting that, concerning the topic that we’re talking about. City Attorney is always there. That was an interesting meeting, but this chairperson is very intelligent and we need that type of decisions there because it’s a very touchy situation. He does a tremendous job. Actually, I think we should double his salary. (inaudible). What is two (2) times nothing, anyway?”

Luther Light stated, “It’s always zero (0) so.”

Mayor Holman stated, “But he’s been doing this for years, and not only smart, but he has so much experience now on planning. At one time, politically, I can recall, he may not even know this, but I was (inaudible) of him too much. But my how things can change. Thank you for your service to this city. You really have hung in there.”

Luther Light stated, “You’re right, I was not aware that you (inaudible). I appreciate the sentiments.”

Mayor Holman stated, “Ok.”

Luther Light stated, “You need me for anything else, Mr. Underwood?”

The City Attorney stated, “No, sir. Thank you for (inaudible).”

Luther Light stated, “You’re welcome.”

The City Attorney stated, “Luther also serves on the local school board. He’s a man of many talents.”

Mayor Holman stated, “Ahh, yes.”

Luther Light stated, “I get paid nothing for that too.”

The City Attorney stated, “He has a night job. So, since we kind of jumped ahead there with the city’s presentation. Let me go ahead and say some things that you need as a basic knowledge as we walk through this. The first thing is, is that the property is on a C-2. C-2 is the commercial zoning, ok. That commercial was zoned as C-2 in 2004 when the city acquired that property. So, the document that I just handed out to you will show you that the appellant got a deed, a special



limited warranty deed in 2014. So, that special limited warranty deed contained no warrants as to what was being given as far as that it wasn't subject to restricted covenants."

Mayor Holman stated, "Hold on just a second John. We need to have it quiet. The council could miss something that might be really important."

The City Attorney stated, "He received it by a special limited warranty deed. That means there was no covenants with this deed, there were no guarantees with this deed and it was subject to the zoning that was upon the property at that time. The state requires (inaudible) to become a C-2 zoning. And so, I think that's important that the property is zoned for conditional use for RV park and the, and if you looked at the easements that are on record, those easements are dated prior to the date that they acquired this property. So, any of you who have bought real property, know that whenever you acquire real property, you acquire real property subject to all easements and reservations of record. So, that property was acquired with easements of record. As to whether or not that would be something that would be used as a driveway to a residential home, it would be. But for the fact that the property was zoned C-2, which would mean that there would be a driveway which is thirty (30) feet wide, which is almost wide as the city streets is meant to be used for access to a commercial piece of property. Which there could not be any doubt. The last thing I want to let you know is that the easement of use, personally has the right to use that easement. It's called a dominant easement, it's the dominant estate, ok. The person, on whose property that the easement exists is serving it. So, whenever Lewicki, or the folks that bought Tract 2, whoever buys that piece of property, that easement, although it's a non-possessory easement is a right. That right to that easement. The right to use that easement for the purposes of the accessing ingress into a commercial piece of property transfers with that easement. And that's according to New Mexico Supreme Court. That easement is a (inaudible) to that piece of property. And so, Luther, in the legal way, what Luther was saying in the layman's way of why the Planning & Zoning Committee, feels that that piece of property, does in fact abut an arterial road, which would be US-70. So, with that, does the appellant want to talk about, do you want to say something."

The Planning Services Director stated, "Yes."

The City Attorney stated, "Go ahead Jennet."

The Planning Services Director stated, "And I do know, we just talked about it, the property was annexed to the city in 2004. So, when they were annexed to the city, they were annexed as commercial zone. So, the zone was never changed when we acquired it through the annex."

Councilor Baber stated, "All three (3) properties?"



The Planning Services Director stated, “Not just those three (3) properties it was all of Agua Fria. I did provide you with a little map of what the whole map that was annexed back in 2004.”

The City Attorney stated, “But the answer to your question is yes, all the tracts involved on that plat.”

The Planning Services Director stated, “Yes, but it was not just them.”

The City Attorney stated, “You can’t just (inaudible) zone to the whole thing. All that was acquired (inaudible).”

The Planning Services Director stated, “Yes, all that land on that side of the highway is commercial.”

Councilor Miller stated, “Is it on both sides (inaudible) both sides.”

The Planning Services Director stated, “Yes, I think the other side of the highway I think is that, that part is in the county.”

Councilor Baber stated, “Can’t quit (inaudible).”

Councilor Miller stated, “I think it’s on both sides because I’ve got friends that own property there and now, they’re in the city.”

The Planning Services Director stated, “Oh ok but I did provide you with a copy of the commercial of the zoning that it is right now and how it was when we, they got annexed as well. That’s all I wanted to say.”

Mayor Holman stated, “Ok, thank you Jenet.”

The City Attorney stated, “Is the appellant present?”

Melissa Martin stated, “Good afternoon, mayor and council members, my name is Melissa Martin and I am an attorney representing the Sorenson family.”

Mayor Holman stated, “Ok, we can hear you thank you.”

Melissa Martin stated, “Ok.”

The City Attorney stated, “Do you have some witnesses, you’d like to call?”



Melissa Martin stated, “You know, I had some things to go over with the council, if I may. I don’t necessarily have a line of witnesses but I did have a statement to make.”

The City Attorney stated, “That’s fine.”

Melissa Martin stated, “Ok, well council members, as I said, I am an attorney, I’m barred in the state of New Mexico. I practice with Scotthulse’s law firm. I am with offices in Las Cruces and El Paso. And, I’m representing the Sorenson’s in this matter. And as your zoning commissioner correctly stated, this issue really boils down to the word usage in the City of Ruidoso Downs ordinances that a recreational vehicle park shall abut and have access from major arterial streets. We see this as really having two (2) issues. The first of which, as the commissioner as well as the attorney did touch on, which is the, the question of abutting a major arterial roadway. Now, the code of ordinances, does not define the term ‘abut’ and in such a case the code of ordinance does state that will default to the customary definition of the word. So, Merriam Webster’s defines abut, ‘as to border on or to touch on an edge.’ Cambridge dictionary is, ‘next to or touches on one side.’ And Britannica dictionary says, ‘to touch along an edge.’ You know there is, it seems like the zoning commission has determined that because there is an easement present, that that means that the property also abuts a major arterial roadway. Now that’s contradicted by the plain language of your city ordinances, and I’ll go over that first. If this ordinance were just meant to say if there is some access to a major arterial roadway, there’s absolutely no need to include the term ‘abut and have access to.’ You know words have meaning, especially when it comes to city ordinances. And you can’t simply ignore the term ‘abuts and’ and simply say because there is access that you have some border of your property abutting the major arterial roadway. Now there’s a, there’s an argument that is my second point that’s been presented today that because there is an easement present, that, that automatically qualifies as the property abutting the major arterial roadway. If you follow that line of reasoning commissioners, then I would ask you to consider the fact that there are public easements, every street, public rights of way throughout the city of Ruidoso. And I would argue that any two (2) acre piece of commercial properties, zoned C-2, could find an argument. If you interpret this ‘abut and have access to’ in the way that the city attorney the zoning commission request. Any two (2) acre C-2 property can say, well I have and to abut to a major arterial roadway because I have a public access easement to it. I would, I would argue that ninety-five (95) percent of the C-2 land in Ruidoso could use that argument. If the, you know and frankly it seems that there’s a desire to interpret the statute in a way to allow what’s best for business, as the city sees it but that doesn’t give you know anyone the right to ignore the terms of the city ordinances that say, ‘abut and have access to.’ If it’s true, what are what you’re zoning commissioner stated that the intent of this language was really to keep commercial recreational parks away from residential, you know multiple residential neighborhoods, that could be written into your city ordinances, but we have to interpret the ordinances as they’re written. That carve out is not in there. And to treat one property owner differently based on, you know what you think the intent of this statute was really, is not the purpose, I would argue, of city ordinances. So, that’s the question of abuts. And the second issue,



which I think the zoning commissioner and the city attorney didn't touch upon but that was discussed at the zoning hearing, that is really quintessential to this discussion. And which I have elaborated on in the appeal that you all maybe have reviewed or will review after this hearing, is that every easement is not created equal. Just because there's an easement across the Sorenson property to this land lot parcel and its zoned C-2, that does not give the C, the land lot party ability to use that however he sees fit. Under New Mexico law, an easement should be construed to its express and specific terms and when expressed terms of an easement are ambiguous, as they are in this case, the intent of the parties should be determined from the granting instrument in conjunction with surrounding circumstances. Now, it's been almost twenty (20) years since this easement was put into place. An easement use, easement scope, the scope of use is not determined by zoning in the state of New Mexico. Again, it's determined by the prior use in surrounding circumstances. For twenty (20) years this easement has been exactly what the zoning commissioner stated in the introduction to this discussion. Which is that, this was a land locked parcel. It was subdivided and because it was land locked, an easement was granted to permit the property owner access to and from that land locked parcel. That does not mean that that land locked parcel can then use that easement for any use it sees fit. It is a very different circumstance to allow a commercial property owner and egress and ingress to their estate and then to open it up to unilaterally change the scope to ingress and egress to thousands of recreational vehicles per year. That is simply a change in the scope of the use of the easement. New Mexico law prohibits that. New Mexico states that easements should be construed very narrowly and you cannot just unilaterally to change the scope. And so, I encourage you to review the appeal that we submitted to you in writing and this will state the cases from the New Mexico Supreme Court supporting this argument, but. This property does not abut a major arterial roadway and rights to cross the Sorenson property does not mean that they have any title or interest to the Sorenson property. It is not the, the Excalibur oils property that abuts to the major arterial roadway, it's the Sorenson property and as well, the scope of the easement simply does not permit the use by thousands of recreational vehicles per year, across, to and from, across a residential piece of property. So, that's my statement, and I'm happy to take any questions if you have them."

Mayor Holman stated, "John, is that appropriate at this time?"

The City Attorney stated, "Sure."

Mayor Holman stated, "Councilors, questions?"

Councilor Proctor stated, "This is Terry Proctor, Council. Ma'am do you have the New Mexico state ordinance or the law that stipulates they can't use that as they proceed to use it for the purpose you just explained?"

Melissa Martin stated, "Was that a question for me council?"



Councilor Proctor stated, “Yes.”

Melissa Martin stated, “You know what, I do. I’m happy to send it to you again. I sent it to Jennet. It’s part of the appellants appeal petition.”

Councilor Lacewell stated, “Mayor.”

Mayor Holman stated, “I just have one question for Ms. Martin. This is Jody Lacewell I’m a city councilor. I noticed this property on the west part of the Sorenson is the (inaudible) and on the other side is the original Lewicki property and luckily for the Sorenson family, they purchased that little peninsula that hangs down for access to their own property.”

Melissa Martin stated, “Right.”

Councilor Lacewell stated, “It seems it could’ve been just as easy. I don’t know who owned. I guess the Lewicki family own that before. It seems to me that a more direct access that goes straight to the park and down to the highway would be a more logical way to do this than to expect the Sorensens to allow, like you said, hundreds of RVs in and out every day. I know the RV parks I’ve been to they don’t just go there and stay. They go in and out, they go to the track, they go to the grocery store, they go in and they go out and I don’t know, it seems like a lot to ask the Sorenson’s to absorb to haggle with that.”

Melissa Martin stated, “Yes, that’s. I’m sorry go ahead,”

Councilor Lacewell stated, “That wasn’t even a question, that was a statement.”

Melissa Martin stated, “But yes, Council member, I would agree with you, you know but staying true to my interpretation of the city ordinances. I would argue that even if the access easement was relocated to the Lewicki property, again, an easement does not give you the claim to abut a major arterial road. However, I did make that point in my presentation at the zoning commission. I know that the Lewicki’s, for whatever reason, are very adamant that they want this RV Park to go in despite, to my knowledge, not being associated with the party that purchased the land lot parcel that we’re discussing. However, I do agree that if the Lewicki’s are so eager to have it be placed there, that you know. Short of interpreting the statute or the city ordinance, as I believe it should be. The second-best option would be that the Lewicki’s grant their own easement across their own property. Rather than, as you said, as I said, having hundreds of campers, RV’s, whatever it is crossing through my client’s residential property. I would agree with that statement.”

Mayor Holman stated, “Any other questions, councilors?”



The City Attorney stated, “I want to clarify one thing. I think Councilor Proctor asked the attorney, Ms. Martin, if she could provide. Did you state that you have a state statute stating that an easement if it is unlimited in its terms, leading to a C-2 property, that that would be an ambiguous easement? Do you have a state statute to that effect?”

Melissa Martin stated, “That a, I’m not sure I, and I apologize if I stated it differently. I wouldn’t state that I provided you all as statute that specific. Would I provided you all is rather case law on this matter stating that when an easement use is not specifically set out, that yes. That ambiguous use would be. I’m sorry, you know if the scope of an easement is not ambiguous based on the document that grants the easement, then, yes, the surrounding use is what would interpret the scope of that easement. And yes, I should, you should have case law providing for that language in the appeal that I sent to you.”

The City Attorney stated, “The surrounding use is commercial, that’s what should define the scope of that easement, is it not?”

Melissa Martin stated, “No, it would be surrounding circumstances, and again I would argue that, you know, nowhere in the case law have, I seen that. Well, its zoned a C-2, so anything flies. I mean, you know that would essentially, be some sort of a public right of way. But no, and I, to the extent you would like me to provide a more pointed case law, I’m more than happy to do so, but no I’ve seen nothing in the case law in my time practicing in New Mexico states that just because something is zoned commercial, therefore, it’s free game. You know, it’s still, it goes back to the surrounding circumstances, the past use. If it’s been used for twenty (20) years, as an old dirt road to haul cattle down, its not suddenly going to be a commercial highway and that’s not a problem. You know, I mean, that’s what I mean, by the prior surrounding circumstances.”

The City Attorney stated, “So, Ms. Martin, there has been no testimony that there’s going to be hundreds of RVs daily crossing this piece of property is there?”

Melissa Martin stated, “Well, I don’t know that we’ve had anyone testify to as to how many recreational vehicles a day that will pass, but I, you know, I grew up camping as kid. I’m sure you all did to and my understanding is there has been testimony that I believe there will be forty-two (42) camping spots available at any given time. Forty-two (42) RV spots, so, you know, you interpret that as you will, but I would say it would equal thousands of in and out per year as I stated.”

The City Attorney stated, “And so, let me ask you one other question. You’re saying that the easement would be ambiguous because it had no limiting terms, if the easement, if you don’t deny that your people who acquired the property prior to 2014.”

Melissa Martin stated, “No, I don’t deny that.”



The City Attorney stated, “So if they acquired that property by Special Warranty Deed, which means they got no special warranty covenants with that deed, and if that property was zoned a C-2 at that time. And if that property had that easement across it, leading to a C-2 piece of property and if that easement has no limit in the language, then this easement may be used for personal use only. That means that, that easement is not ambiguous what so ever but rather leading to a C-2 piece of land that was a C-2 when your client acquired it.”

Melissa Martin stated, “Well again, I don’t think that you can. Again, it goes back to the surrounding circumstances, the prior use of the past twenty (20) years since the easement was established. And for the past twenty (20) years, you know. I know that the appellees have stated that, at that time this wasn’t intended to be an RV park way back when they subdivided the land. So again, the ambiguity is resolved by determining, how has this easement been utilized for the past twenty (20) years. And if its now, if the City Council now is stating that it can be utilized for a completely different purpose, be it commercial, residential, industrial, you still have to look at the surrounding circumstances. It doesn’t, being zoned as a certain way certainly does not give you. You know, I’ll give you (inaudible) circumstance. A residential, you know, a private easement in residential land. You know, utilizing a residential easement just for any way you see fit is just simply inadequate. Again, the easement should be used for the purpose in which it was granted and if those terms are ambiguous, it goes back to the prior use. And the prior use for the past twenty (20) years has been far from hauling RVs, campers, what not, in and out of that property. It’s completely different.”

Councilor Lacewell stated, “Mayor, may I address Ms. Martin again?”

Mayor Holman stated, “Yes.”

Councilor Lacewell stated, “Ms. Martin, this is Jody Lacewell again. So, I think as a council, we are excited that there would be a RV park back there. I don’t know that the Sorensens are unhappy about the RV park or just about the easement, but. If the Lewicki family is willing to move the easement over to their own property, would that make your client happy?”

Melissa Martin stated, “Well, you know Council, I would have to. I don’t want to speak to much for the Sorenson family. I, I certainly. I am very certain that would be far superior to placing this easement to an RV park, right across their property. I am certain that, that is the case. I would imagine that relocating that easement to the Lewicki property would a more appropriate resolution to this matter, in the Sorensens eyes. You know, I can’t say they’d be jumping up and down about it, but you know. And as I said, I think that the ordinance still speaks for itself. That this really isn’t an appropriate use of the term ‘abut.’ You know, but it would certainly be a better resolution than we’ve reached at this point.”



The City Attorney stated, “Let me remind the Council, that that’s not the issue before the council today. This is the appeal of the use of the easement leading to the C-2 property. Whether or not there can be another resolution is not the issue before you today.”

Councilor Lacewell stated, “So, this is all about an easement and not about a RV park?”

The City Attorney stated, “No, this is about an easement that exits to an RV park, to a C-2 piece of property. This is an appeal from a conditional use application in Planning & Zoning for the placement of an RV park in a C-2 piece of property.”

Councilor Miller stated, “Mayor, I have one (inaudible) to ask.”

Mayor Holman stated, “Yes, councilor.”

Councilor Miller stated, “I was on the council when this was annexed and this property. And I think whoever owned it at that time should have probably come to the public hearing if they didn’t like it being C-2 because it was annexed in to the City of Ruidoso Downs in 2004. And that was because we were giving them services already. Police service and we bought the water from Agua Fria, the well and that’s why we annexed in all this property. And I think that was probably the time they should’ve. That if they didn’t want it to be C-2, they wanted agriculture or whatever.”

Mayor Holman stated, “Yes, mam.”

Councilor Miller stated, “In 2004, the source engine owned the property. The Lewicki’s (inaudible).”

The City Attorney stated, “Can we wait till we get to that part.”

Councilor Miller stated, “Yeah, ok. It was just the thought that came to me.”

Melissa Martin stated, “And councilors that’s correct the Lew. The Sorensens did not own the property at that time. Otherwise, I’m sure they would’ve been mindful, you know, as they have been in this situation. But also, the easement itself still hadn’t been created. So, even if our client had owned it at that time, they likely wouldn’t of had an objection, but for this thirty (30) foot easement now crossing their land and bringing, you know, RVs into the, into their property.”

Councilor Miller stated, “I understand.”

(inaudible)



The City Attorney stated, “I’m asking for the applicant for the conditional use.”

(inaudible)

Alexandra Bobbit stated, “Hi, I’m Alexandra Bobbit and I will be representing Edgar Ontiveros today.”

Edgar Ontiveros stated, “Hi, my name is Edgar Ontiveros.”

Alexandra Bobbit stated, “And, John basically took the majority of my job from me. I had all this stuff ready. Then he started on. So, I unfortunately will be reiterating a couple of things that was stated. However, one of the key points and one of the key issues that we had is the fact that when the Sorensens purchased the property in 2014. It was very clearly, and I think we can all agree, that it was very clearly zoned C-2 at that time. And so, there was a very, and if they were not aware that their property was zoned C-2 that was a responsibility that they had as property owners to know that there was the ability, there was the possibility that there was going to be some form of commercial access. And so, to kind of now all of a sudden go back into this thing about how the easement is being used for something different. And, you know, and this changes everything. It doesn’t really because there has always been the ability for either the sellers or whoever is going to purchase the property around them for there to be some sort of business that would go in. Now, if anything, I would actually say that having an RV park go into that area would almost be more beneficial than having some type of property where, or some type of business that goes in that has constant in and out access. Like for instance, I think, like I’ll take Harvey Feed store. So, that one is straight off of the highway. That one has customers that come in and out, are continuously going, coming, leaving, so on and so forth. That is a very different type of traffic than you would have in a RV park. A RV park, while yes there can be RV’s moving in and out but typically for the most part, people are going in. There’s the river back there. The idea that this is kind of going to be an oasis for travelers. Should people decide to live back there, that’s going to be the same as if you are in a residential are. As if you are coming and going without this constant access of like a turn around. Again, where like Harvey’s Feed Store or the Lotzastuff place. And so, if anything, the idea that this is changing the scope of an easement that exists, we can kind of have it go both ways. So, for instance, if we’re looking at the RV park and if we’re going to argue that the area has this residential nature to it, then, if anything, an RV park is going to be one of the things that is going to lend to that residential nature. It’s going to be something that isn’t going to have this constant, continuous flow for whatever hours a place is open, but it’s going to be more of a leisurely pace. However, again, the easement doesn’t actually have any specifications. It doesn’t have any limitations or terms that it can’t be specified commercial traffic or it can’t be large vehicles. It doesn’t have any of that and actually we have walked and this has been supplied in your documents. And when you have a chance, I’m just going to be asking that you really review the Lewicki land division and grant easements. It now on looks like this is the one that basically kind of sets up where our easement



is, and. It's actually this really long road here and then it shows this kind of this short section here, and. This short section is really where we're really going to be addressing, because at that point that's where the easement is going to come all the way up and come into here. So, the idea that it's really taking over their property, really isn't true because this easement over here. That's probably your biggest, longest easement is the one that's not going to be in use. It's going to be this shorter section in here that then takes you straight onto my client's property. The next one that I'm going to be asking that you really review is going to be the, a replat of the Lewicki land Division Tract 2 and this one actually has the definition that we mentioned. And so, where it says 'Easement B' it's pretty clear at the fact that it states, and it's very small writing. I almost had to get a magnifying glass to stare at it, but it states the thirty (30) foot wide easement for access and utilities. So, for access and utilities. It is not specifying that it is utility only. It's not specifying that we are changing anything in the easement. We are still maintaining the access part of the access and utilities. And then, and so then going to, you know, the case law that was laid out. So, one of the things that when I was reviewing this case law was, yes, when it comes to the change. Like there was one of the cases that it was taking, I believe it was taking the case from being a utility type easement, and a water type easement, a drainage type easement and then someone was unilaterally changing that easement to become more than just water drainage but here we don't have that. We still have the same access. We still have the same definition of access. Access of course being, coming, going, egress, ingress. So, the scope of this easement is not being changed at all. It's still being maintained. And so, I really come back to the fact that when this property was purchased, it was purchased with this easement already there, and it was purchased as a C-2. And so, the Sorensons knew exactly what they were getting into. They knew exactly what type of purposes could go back to. They knew that those easements ran across their property. So, none of this is new. No one is trying to change anything. No one is trying to reinvent anything that has been here. We're not asking for anything additional. It's simply, they have asked to put in an RV, only to truly believe, that it is not necessarily the easement that is the issue here. We do truly believe that the Sorensons do have concerns over the fact that it's an RV park and what does that mean. What does that sound like, so on and so forth. And so, I just want to make sure that we have that clear when it comes to this idea that my client is unilaterally changing the scope of this easement. That is not what is happening here. When he bought the property, he bought the property with the easement and that it was all C-2. It was an idea that it was going to be C-2. And so, therefore, he is just following a long with what has been recorded, what has been deeded. And so, he has been acting accordingly and he has not been asking, or wishing to change the scope of any of that or to make any large unilateral changes. And that is just that he is continuing to follow the easement as recorded where it states access and utilities. And so, then it brings us to the idea of does this constitute abutment. And there was, you know, the idea given that if you have a, if you are up against a public roadway that then goes to the highway then that is. You know that then everyone can kind of think that they abut to a highway. And that's not what we're saying here because the large difference in this, is that this easement is not a road or any type of driveway, roadway anything that is actually, to my understanding, that's actually maintained by the City of Ruidoso Downs. This is an easement that is actually



made part of Mr. Ontiveros's property and what that means is that he is, as being the dominant servient in this easement is that it does create the point where he is the one that is maintaining the roadway. It is his roadway. It has been given to him. So, in being the dominant, that is still his land that takes you to the highway. And so, since it is his land, that takes you to the highway, as it has been granted to him in the grant of easement, that we've supplied for you, that he does in fact abut up to the highway. This isn't something where you know, you come out of here, and you come onto the public road and then you come down. That would not be abutment. Right, so that would not be something the he would then be able to claim, but by actually having the easement be part of his property. It's been deeded as being part of his property. He again, is the dominant servient of that. So, since he is the dominant servient, that is the one that has basically created a continuity between the large tracts of land down to. Which therefore makes that easement part of his property, therefore abutting to the highway. And so, so if anything, we go back to, let me make sure I am stating this correctly, from what was stated earlier, but that takes us back to the 'abut and.' And so, with the 'abut and have access' my client does meet that requirement. He does have that abutment and the access. He is following through with how the easement is stated, and so we are. You know, I know there's been this idea of the whole, well what if we move the easement and all that. And you know, while we do appreciate that. That is not something we have considered or looked at because as we know it's not considered to be part of the appeal process. And you know, and the one thing that (inaudible) on that is the fact that this is something that is recorded. And so, we, you know, the recording is very clear and so we are asking that council follow through on the recordings that have been provided to you and that council maintain what Planning & Zoning put in that Mr. Ontiveros be allowed to have his RV Park and be able to go ahead and operate that. Any questions?"

The City Attorney stated, "Questions?"

Mayor Holman stated, "Yes, I would like for the Council to be able to ask questions of this attorney if procedurally its ok."

The City Attorney stated, "I just thought we've done all a long so far and if I might just say if it appears that you're going to have any witnesses either, is that correct? The public will be allowed to testify, if they want. If the Lewicki's want to be part of that to testify, they may do so, but so far, we've just had arguments between Council and myself. Ms. Martin and Ms. Bobbit. And so, the reason I didn't swear any of the three of us in, so that you know, is that we're considered to be officers of the court and officers of the court aren't required to be sworn in. (inaudible) because we are (inaudible)."

Mayor Holman stated, "So, Councilors, councilor?"

Councilor Lacewell stated, "Thank you, Ms. Bobbit. On the replat, there's this funny little triangle that abuts up against the easement in letter B, its circled in letter B."



Alexandra Bobbit stated, “Yes.”

Councilor Lacewell stated, “What is that?”

Alexandra Bobbit stated, “Do you need to put him under oath if he’s going to answer that?”

The City Attorney stated, “Are you going to answer that?”

Alexandra Bobbit stated, “Yes.”

The City Attorney stated, “Can you raise your right hand, please. State your name.”

Edgar Ontiveros stated, “Edgar Ontiveros.”

The City Attorney stated, “Do you Edgar Ontiveros, solemnly swear to tell the truth, the whole truth, nothing but the truth under penalty of perjury?”

Edgar Ontiveros stated, “I do.”

The City Attorney stated, “You may answer the question.”

Edgar Ontiveros stated, “That’s just, that gives you the radius of the curve for the road, that’s it. It’s just a point.”

Councilor Lacewell stated, “Oh it’s just a measurement.”

Edgar Ontiveros stated, “Yes, mam.”

Councilor Lacewell stated, “Ok, thanks, thank you.”

Mayor Holman stated, “Any other councilors want to ask questions of the attorney?”

Councilor Proctor stated, “(inaudible) I’ll hold my questions off a little bit later. I’ve got a couple of good ones I’d like to ask.”

Mayor Holman stated, “Ok, sir.”

The City Attorney stated, “So with that, do you have any. I’ll allow any public comment and then I think probably allow the attorney to do a closing before we close and go to public comment (inaudible).”



Alexandra Bobbit stated, “And then, Mr. Underwood, if I may.”

The City Attorney stated, “Sure.”

Alexandra Bobbit stated, “Again, just to reiterate. Again, looking at the replat, how it kind of makes this ‘y’ shape and there’s a longer part of that ‘y’ over here, this is not to be used at all. And that is the one that takes up the majority of the Sorensens property. It is solely just this small section over here that would be the portion that would be used for the RV park. As the easement, as you can see, after that does extend onto my client’s property, ok”

The City Attorney stated, “So are you saying, as I’m looking at this, and its pointing North, the easement that goes off to the right.”

Alexandra Bobbit stated, “Is the one that would be used, yes.”

The City Attorney stated, “And are you wanting to put that (inaudible) language into granted business, what’s granted (inaudible).”

Alexandra Bobbit stated, “Yes, sir, your honor. Oh my God. Yes, John. It’s been a day. Do you want us to stay here or do you want us to move?”

The City Attorney stated, “I think you can move.”

Alexandra Bobbit stated, “Ok.”

Mayor Holman stated, “So, this part is still open to public.”

The City Attorney stated, “You can open it to the public now. And as I stated, anybody who comes up I will have you sworn in. And what I would like for you to limit your comments to, and I know it gets confusing sometimes, but really all we’re doing is discussing the right to use this easement for access to a C-2 and that’s what was granted by the Planning & Zoning Committee. And whether or not, the issue is whether or not that easement, which is a pertinent to this property purchased by the (inaudible) RV park can be considered to be an abutment. I think that’s more so that it’s more of a legal question, but it is an evidentiary question but if you want to address that, that’s fine. So, anybody want to.”

Melissa Martin stated, “Council, if I may, I just wanted to mention, and I apologize for not really, you know, I don’t do these everyday so I didn’t know quite the procedure but Ms. Sorenson did hope, at one point, to provide a short statement, if that might be possible at some point.”



The City Attorney stated, "Is it, who is it?"

Melissa Martin stated, "Ms. Sorenson. Miss Sara Sorenson."

The City Attorney stated, "Would you raise your right hand, please?"

Sara Sorenson stated, "Yes."

The City Attorney stated, "Do you solemnly swear to tell the truth, the whole truth, nothing but the truth under penalty of perjury?"

Sara Sorenson stated, "I do."

The City Attorney stated, "Would you state your name please?"

Sara Sorenson stated, "Sara Sorenson."

The City Attorney stated, "And, Sara Sorenson, where do you reside?"

Sara Sorenson stated, "I reside in North Dakota."

The City Attorney stated, "And are you one of the owners of the property located, are you one of the appellants protesting the granting of this conditional use?"

Sara Sorenson stated, "I am."

The City Attorney stated, "Go ahead."

Sara Sorenson stated, "Well, so I wanted to say that we, my brothers and I grew up in North Dakota, but my dad moved to New Mexico, probably about fifteen (15) years ago. And he died last July. And so, but he lived predominantly in New Mexico. And this is kind of, this home that he has is kind of all that we have left of him, I guess. That and I have two (2) young kids. I have one here (inaudible) can you come? This is one. This is one of my children and this is the other one. And so, I have a big concern about the RV park because when we go to visit, New Mexico. There's essentially, you're turning this easement, essentially into a big highway through his property. Which is very dangerous for my children to go visit their grandpa, their grandpas place. It was never used as a commercial highway when my dad used it. I didn't feel unsafe at all when we went to visit. There was, basically, my dad used it and the neighbors, the Lewicki's, used this driveway. There wasn't many, many RV's going through this property. The second thing that I'd like to say is that, it would be acceptable, for me at least, that the Lewicki's who sold Mr. Olivera's the property, if they simply, they own the land next door. And if they said they were



willing to sell their land. At least at the last hearing for the right price, and if they do that, that's acceptable and that would provide. That would abut, provide land that abuts a major arterial roadway. So, the Lewicki's are certainly, free to do that. And that would be acceptable. They could sell their land and that provides, that meets the requirement of this statute or the ordinance that you have provided. We don't have, we're not contesting that it's a C-2. We contest that it doesn't meet the requirements of the ordinance. So that would be an acceptable solution for the Lewicki's to sell to Mr. Oliveras."

The City Attorney stated, "May I ask you a question?"

Sara Sorenson stated, "For the safety of our family and our property."

The City Attorney stated, "So, how often or how often have you resided in this home with your children, since your father's death."

Sara Sorenson stated, "Well, let's see, I've been to New Mexico several times since he died, but right now they are currently in school. So that makes it difficult to do that. So, are you asking, since he died?"

The City Attorney stated, "I was just wondering how often you use the home."

Sara Sorenson stated, "Well, my brothers use. I have three (3) other brothers and they are there occasionally to use the home with their children."

The City Attorney stated, "Does the condition of having the speed limit on that one (1). You understand it's just for that one (1) of the two (2) easements, having a speed limit of five (5) miles per hour. Does that calm any of your fears?"

Sara Sorenson stated, "No, there's. No, it does not. I mean there's going to be several large vehicles going in and out of there if there's forty-two (42) pieces. And that's not how the easement was used. The easement was never used with several large commercial vehicles. It would be my dad's vehicle going to his place, his residence. Or the Lewicki's using their vehicle to go to their residence. It was never used as a commercial. It was never used as a essentially a commercial highway going through his property, but certainly, if the Lewicki's want to sell their piece of land and turn that into a, you know, and turn that into a highway to the RV park, that's acceptable to us. That falls within the rules, from what we understand. But it does not, it is not within the rules to put a major arterial highway essentially through our private property."

The City Attorney stated, "And were you aware at the fact that the property, that the RV park is asking to be put into, was in fact on commercial, when you acquired the property."



Sara Sorenson stated, “Well I didn’t acquire, my father acquired the property. So, are you asking what he knew?”

The City Attorney stated, “No, I’m asking you what you know.”

Sara Sorenson stated, “Well, my acquiring of the property was after he died.”

Melissa Martin stated, “And I wouldn’t ask my client to speak to what a deceased, you know, party did or did not know. I mean that’s, that’s not my client’s purview.”

The City Attorney stated, “I wasn’t. I was asking her what she knew.”

Melissa Martin stated, “Well, she didn’t acquire the property. She inherited it so to be clear.”

The City Attorney stated, “So, when you inherited the property, were you aware of the fact that the property was C-2?”

Sara Sorenson stated, “The technical definition of C-2. No, I mean my dad died in July. So, are you wondering when I learned the technical zoning of it being C-2? Is that your question? I’m not sure.”

(inaudible)

Sara Sorenson stated, “I know that when my dad was alive, there was not. There was not many, many vehicles going through that driveway. It was just his vehicle and I don’t even remember seeing any other vehicle besides his vehicle use that.”

The City Attorney stated, “Right.”

Sara Sorenson stated, “I never felt. I didn’t feel unsafe. (inaudible). I’m sorry?”

The City Attorney stated, “I was just asking of how to your knowledge how it was zoned.”

Sara Sorenson stated, “How it was zoned, ok.”

The City Attorney stated, “Ok, I’ll move on. Public testimony, yes mam.:

Cassidy Meeks stated, “Hello everyone, I’m Cassidy Meeks. And I actually wasn’t going to speak today.”



The City Attorney stated, “Cassidy, can you raise your right hand, please? Do you solemnly swear to tell the truth, the whole truth, nothing but the truth under penalty of perjury?”

Cassidy Meeks stated, “I do.”

The City Attorney stated, “And, where do you reside?”

Cassidy Meeks stated, “I live here in Ruidoso Downs, at Slowplay RV Park. And that’s kind of the only reason I’m be speaking today. I’m actually, aside from being on the Fire Department here, I’m also a regional property manager for Cabin RV Resorts. So, I think my knowledge might help. Hopefully, clear up some fears that may be going on today. I have five (5) children of my own. We live in an RV park with one hundred forty (140) spaces. I also oversee another property in Ruidoso. As well as on occasion, different ones throughout the country. We have a fenced in property. We keep our speed limits at five (5) miles per hour. Again, I have five (5) of my own children who live on the property where RVs are coming in and out of and I’ve never had a fear of anything happening. I think, as long as the right rules are put into place, I think it can absolutely be very safe, even with children involved to live in an RV park. Or, (inaudible) where there is a traffic is light, but as long as its managed well. I do have park hosts that take the RVs to their spaces to make it a little bit safer. Make sure their maintaining that five (5) miles per hour speed limit. As well as there was a point brought up earlier on. I can’t recall exactly, the wording that was mentioned but about the amount of RVs that are going to be coming in and out. So, as I stated, I have over one hundred forty (140) spaces in my RV park alone. That being said, I have never, even on our busiest day, which is typically on Labor Day, I’ve never exceeded forty (40) RVs in a day and that is with one hundred forty (140) spaces. With the RV park in question, with them having forty (40) some odd spaces, I would not, in my estimation being in this business for well over five (5) years now, I wouldn’t assume that there would be a huge level of in and out traffic for an RV park of that size. Again, I just hope that it kind of helps with some of the fears. I think as long as the park is well managed, and well looked after and there’s certain rules put in place, I think it is very safe. We live in a stucco house on the actual RV park in the middle of it. There are RVs in and out and as long as its managed well, I think it can be very safe for children. So, I don’t really see that being a huge concern. As parents are watching their children and RV hosts are paying attention and making sure that they’re doing what they need to be.”

The City Attorney stated, “Questions?”

Mayor Holman stated, “Questions? Yes.”

Councilor Lacewell stated, “Cassidy, thank you for your service.”

Melissa Martin stated, “I have a question.”



Cassidy Meeks stated, “Sure.”

Mayor Holman stated, “Just a minute, we have a City Councilor that has a question now.”

Melissa Martin stated, “I apologize.”

Councilor Lacewell stated, “Can I yield to Ms. Martin and come back to my question?”

Mayor Holman stated, “Ok, Ms. Martin, go ahead.”

Melissa Martin stated, “Thank you, council. I have a couple of questions. One, I would like to ask where your RV park is located and if it abuts a major arterial roadway?”

Cassidy Meeks stated, “It does. It is, the address is actually is 26514 US highway 70.”

Melissa Martin stated, “Ok, so it does meet the requirements that the RV park abuts the highway, unlike this situation, ok.”

Cassidy Meeks stated, “Yes, mam, that is correct.”

Melissa Martin stated, “Ok, and would you agree, I hear that you have a larger RV park and therefore a larger capacity, but would you agree with my calculations that even if ten (10) RVs were to go in and out a day, for three hundred sixty-five (365) days, that would result in about three thousand six hundred (3,600) entries and exits per year?”

Cassidy Meeks stated, “I do agree to that.”

Melissa Martin stated, “Ok, alright thank you mam. Nothing further.”

Mayor Holman stated, “Councilor Lacewell.”

Councilor Lacewell stated, “Thank you. So, I just live on a street without an easement and if I just look at the traffic that goes by my house every day and there’s only, how many people on our street, not even a dozen, and yet cars, cars, cars. So, I’m also thinking of how many times I leave my home and drive down the street, go to Walmart, come back and oh (inaudible) come back and so I’m in and out a lot. And I would think that the people in the RV park are not going to go down there. Although, it does look like utopia down there, I probably would go down there and stay, but some are going to have to stay. They probably have to come out get groceries, go to the restaurants or whatever, which would result in traffic. And your driveway on your RV park, do these (inaudible). What are these RVs? Do they drive past your driveway or your home with your children around, to get to their (inaudible)?”



Cassidy Meeks stated, “So, they do. My, I actually live right in the center of the RV park. My home is a stucco home, right on the corner, so people pass this direction as well as this direction. Across the street from me are RV spaces, behind me are RV spaces, and all around there are RV spaces. Right next.”

(inaudible)

Mayor Holman called for a brief recess and reconvened the meeting.

The City Attorney stated, “Ok, we’re resuming. Ms. Martin and Ms. Sorenson back, so.”

Brian Roberts stated, “I’ll salute back around, I’m Brian Roberts and I’m on the zoning commission (inaudible) and resident here. My point is that, in looking at the, I’m very familiar with the zoning ordinance. I’m somewhat familiar with the rest of our ordinances and it has been mentioned that it says ‘shall abut and have access to’ but 10.06 (A) of the overall ordinances states the word ‘and’ implies the word ‘or’ and vice versa. I’m paraphrasing, but John is that essentially what is says. So that means by that clause in the beginning of our ordinances for the City of Ruidoso Downs, that that phrase can be read, shall abut or have access to. So, my point is, is that an awful lot of the argument has been based on the word ‘and’ but substituting the word ‘or’ it informs why our decision went the way it was. It wasn’t for deliberately, or at least my decision, I can’t speak to anyone else’s but my decision on this vote was informed by 10.06 (A). And the other point that I would make, is that as a C-2, there are a number of businesses that would not require a zoning to make an approval. For instance, you could have a marijuana grow, you could have a shooting range, there are a lot of businesses allowed under C-2 that would be full commercial businesses that might be much more objectionable than an RV park. Now that is my opinion and everybody has got an opinion. But I want to make the point that, that ordinance can be read, ‘shall abut or have access to’ that’s all I had to say.”

The City Attorney stated, “Questions? Well, look at you.”

Brian Roberts stated, “Ok.”

Councilor Lacewell stated, “I have (inaudible). The question isn’t to you, Mr. Roberts, thank you. But John, legally, if it said ‘or’ would it, well then it would automatically be implied ‘and’?”

The City Attorney stated, “It’s and/or is what it does. So, if you say ‘or’ its and/or. If it says ‘and’ it says and/or. So, the use of either one of those two (2) means and/or.”

Melissa Martin stated, “Council, may I comment and read the entirety of that statement?”



The City Attorney stated, “Of the ordinance?”

Melissa Martin stated, “Of the definition.”

The City Attorney stated, “Yes, mam.”

Melissa Martin stated, “It says ‘and’ or ‘or’ is the title. Either, conjunction shall include the other as an ‘and/or’ if the sense requires it. So that’s, that’s not a blanket, that every ‘and’ or ‘or’ used in the entirety of the Ruidoso Downs Code of Ordinances means and/or that, you know, simply defies the logic of legal reasoning. If you can’t have an exclusive or an inclusive term in your entire laws on the record. So, I would just like to point that out”

The City Attorney stated, “And I think what Mr. Roberts is testifying to, that as a member of the Commission, that’s the way that he interpreted that particular provision.”

Brian Roberts stated, “Yes.”

The City Attorney stated, “Any other comments?”

Mayor Holman stated, “Yes.”

The City Attorney stated, “Will you come forward? Raise your right hand and state your name, please?”

Thomas John Lewicki stated, “Thomas John Lewicki.”

The City Attorney stated, “Do you, Thomas John Lewicki, promise to tell the truth, the whole truth, nothing but the truth under penalty of perjury?”

Thomas John Lewicki stated, “Yes.”

The City Attorney stated, “You may be seated.”

Thomas John Lewicki stated, “Ok, I’m the builder and developer of this property. Ok and I had applied all of the subdivision rules, of course. I at one time was sole owner of all of it, ok. Back in 2004 it was going to be a bunch of (inaudible) ok. This is 2004. This is when it was approved as a subdivision, back then. Ok. It will always be whoever owns the property, on that property, whether it be two (2) people, or three (3) people, or one (1) person. It’s going to have the same access the thirty (30) foot easement. Utility and obtain road to that property. Ok, that is end of story, ok. That’s the way it was built. It’s the way it was designed. The only way it was designed was the drainage and everything else on the property. I think everybody needs to visit the



property. Get a visual and see what it's all about. It's the most beautiful oasis there is down there. It could only be a beautiful RV park. And I'm here at Omar and Edgar's behalf because I wouldn't have the money or the youth to do anymore developing. I have two (2) acres, is all I can do right now and that's all I wanted. Now I think it's fair to this man, he paid good money for that property. It's a very beautiful piece of property. I think he deserves to have that property down the way that he wants because its all dreams. We all have a dream in life and we have to pursue those dreams. Fred Sorenson was a very good friend of mine. When that man purchased that property, I gave him water. He did not have any water or any access to electricity to anything. I gave him all of that because I own the property. I developed that water and electricity to him. I give him the water until he put his own well in. Fred was well aware the subdivision requirements and the subdivision rule. Ok, that easement that thirty (30) foot easement is for the three (3) property owners that own it. Myself, Sorensens, and Edgar and Omar, ok, they own it. It's the same thing, ok, and it wouldn't be a smart thing. You got a thirty (30) foot easement for that. The Harveys got their thirty (30) foot easement for their trucks to come in and you want me to give up more property of my two (2) acres and put another thirty (30) foot. That's ninety (90) foot of road. Does that make any sense to anybody here? Those roads were built together. I think the thirty (30) foot is plenty. Ok, for everybody to enjoy it. Another thing is the time that Fred bought that property was I believe for 2008 maybe. I don't exactly remember ok. I've never seen his kids there until he passed. Fred passed, it's the only time I seen anybody from that side of the family and you know we went and introduced ourselves. It was like, we were like taboo to them. I have no idea what I ever did to my neighbors that."

The City Attorney stated, "Tom, I don't want to get in to personnel."

Thomas John Lewicki stated, "Ok, but what I'm saying is Fred knew the subdivision requirements. He knew that easement was an easement. And he owned it properly, they only inherited the property. And so, as far as that goes I have every document you want and the dates of when all this was (inaudible) done, ok. It's all on record. And I don't understand, if there's one thing I can't stand, is lawlessness and corruption. And I feel there is a lot of lawlessness and corruption going on here and I hope everybody gets a handle on it."

(inaudible)

Thomas John Lewicki stated, "Thank you."

Mayor Holman stated, "Ok, lets have questions for this, ok."

Councilor Lacewell stated, "So Mr. Sorenson, to the best of your knowledge, purchased the property in 2008, 08?"

Thomas John Lewicki stated, "Well, I'm not sure. I know (inaudible)."



The City Attorney stated, "I think I told you the deed was in 2014."

Councilor Lacewell stated, "14, he bought it in 14?"

The City Attorney stated, "Right."

(inaudible)

Thomas John Lewicki stated, "Eight (8) years, eight (8) years, I'm sorry. Well you take eight (8) from fourteen (14) what do you got, 2007?"

The City Attorney stated, "Well, he purchased the property in 2014."

Councilor Lacewell stated, "So that's ten (10), ten (10) years."

(inaudible)

Thomas John Lewicki stated, "(inaudible) and I'm forgetting how many years."

The City Attorney stated, "The property was annexed in 2004."

Thomas John Lewicki stated, "It was annexed in 2004."

The City Attorney stated, "Yes."

Thomas John Lewicki stated, "As commercial."

The City Attorney stated, "Right."

Thomas John Lewicki stated, "As it was here. You see, actually his house was supposed to be the office. Ok, and so all there is just like you said, there's a little peninsula there and a peninsula where his part is, everywhere else is easement. I gave that up when I owned it. Thirty (30) foot all through the whole thing, so I could do this subdivision back then, but the village couldn't produce me water. Ok, now we have the water. We got a six (6) inch line there. Ok, and Omar and Edgar, they have the water, they have the water rights. All they need is to pump that water and put that water down there and I just, you know. They got a beautiful design and even better than what I was going to do it. And, I'm just here for their support."

Mayor Holman stated, "Is there any other councilors that have questions at this time?"

Melissa Martin stated, "I do council."



Mayor Holman stated, “Just a moment, Councilor Lacewell.

Councilor Lacewell stated, “I’m waiting for Joey.”

Mayor Holman stated, “Joey, Joey hadn’t testified yet.”

Councilor Lacewell stated, “Oh, I’m sorry Joey.”

(inaudible)

The City Attorney stated, “I’ll let him as soon as Tom finishes his testimony.”

Councilor Lacewell stated, “I’ll wait for my question then.”

Mayor Holman stated, “Ok, and thank you sir.”

Thomas John Lewicki stated, “Your welcome and thank you.”

The City Clerk stated, “We have one more question.”

Mayor Holman stated, “Yes.”

Melissa Martin stated, “Council, and I apologize, when you say councilor, I think you’re talking to me. So, I apologize for budding in on y’all, that we’re all council here. So, I do apologize but Mr. Lewicki, now would you be. Would you enjoy having the RVs crossing across your property and is that something you would want on your personal property?”

Thomas John Lewicki stated, “Of course.”

Melissa Martin stated, “Ok, and but yet you’re not willing to grant an easement or sell your own property to grant the. Excuse me, I’m still talking. The, to, as you said, to fulfill the dreams of the owners of Excalibur.”

Thomas John Lewicki stated, “I already did. I granted all easements. I was the sole property owner. I put these easements in.”

Melissa Martin stated, “Right, but they don’t have an access point to the highway through your property, correct?”

Thomas John Lewicki stated, “Yes, they do. They go right to the highway.”



Melissa Martin stated, “Ok, they access the.”

Thomas John Lewicki stated, “Have you been to the property, mam?”

Melissa Martin stated, “Council, you’re not answering my question. You’re being combative. If you don’t mind, I’m just asking you a question. Whether there’s access to the highway purely through your property.”

Thomas John Lewicki stated, “Yes. To the highway, yes.”

Melissa Martin stated, “Ok, so all RVs can avoid the Sorenson property and get to and from the highway from your property?”

Thomas John Lewicki stated, “Yes. Actually, well it all depends if they open up the other. They only wanted one (1) easement. They have two (2) easements.”

Melissa Martin stated, “Sir, you’re still not answering my question.”

Thomas John Lewicki stated, “The Sorenson property is a peninsula. It’s on the top of a hill and it’s cut into the hill. So, the property anywhere else is nothing but an easement. It can’t be used as anything else.”

Melissa Martin stated, “I’m sorry you. Ok, we’ll assume your not answering the question. So, and would you agree that the property that you sold to Excalibur, the title you granted to the buyers that no two portions of that land touches and abuts the highway. That they do not own title to any land abutting the highway. Is that right?”

Thomas John Lewicki stated, “They do own it. It’s the easement. It goes to the highway.”

Melissa Martin stated, “They hold title to the easement?”

Thomas John Lewicki stated, “Yes.”

Melissa Martin stated, “They hold legal title to the easement.”

Thomas John Lewicki stated, “I am, they are, and so are the Sorensens.”

Melissa Martin stated, “Ok well I think that’s where some of the confusion is.”

Thomas John Lewicki stated, “(inaudible) subdivision.”



Melissa Martin stated, “And I think that’s where some of the confusion in this matter comes from because sir, I will tell you. They do not own title to the easement land. They do not own title to that land.”

Thomas John Lewicki stated, “Yes they do.”

Melissa Martin stated, “Nothing further. Thank you.”

Thomas John Lewicki stated, “I’ll let you guys argue it out but I’m not qualified.”

(Inaudible)

The City Attorney stated, “You have a question for Mr. Lewicki?”

Alexandra Bobbit stated, “Yes. So, just to kind of clarify. So, I pulled out this, in the back of the replat of the Lewicki Land Division Tract 2. If anyone feels like following along. And so, just to clarify because I think there is just a little misunderstanding. Tract 1 here is the, the Tract 1 here and just to be aware, the large document he is looking at is the same document.”

Thomas John Lewicki stated, “I can’t see the small print.”

The City Attorney stated, “Is that the one that says Replat of Lewicki Subdivision?”

Alexandra Bobbit stated, “Land Division Tract 2.”

The City Attorney stated, “Ok.”

Alexandra Bobbit stated, “And so, Tract 1, who owns Tract 1?”

Thomas John Lewicki stated, “The Sorensens.”

Alexandra Bobbit stated, “Ok, and who owns Tract 2A?”

Thomas John Lewicki stated, “Stephanie and I.”

Alexandra Bobbit stated, “Ok, and so the easement, as we see this one shows notations as to degrees and inches and stuff like that. And so, what we’re looking at one. From Tract 1, that’s where it says in large letters, it says 1.61’, that section that’s running between. Is that the easement that we’re talking about?”

Thomas John Lewicki stated, “Yes.”



Alexandra Bobbit stated, “And is that on your property?”

Thomas John Lewicki stated, “Yes, it is.”

Alexandra Bobbit stated, “So, the RVs will be passing on your property as well in order to go onto Ontiveros?”

Thomas John Lewicki stated, “Yes.”

Alexandra Bobbit stated, “Ok.”

Thomas John Lewicki stated, “And they could use this one too because its recorded.”

Alexandra Bobbit stated, “Well, yeah, but we, we’ve talked about that that would not be utilized. So, we have one small section here and then we have one small section that comes across.”

Thomas John Lewicki stated, “Ok, can I ask you a question.”

Alexandra Bobbit stated, “No.”

Thomas John Lewicki stated, “Ok.”

Alexandra Bobbit stated, “No questions to me. I only get to ask questions. And so, here the RVs will come through Sorenson and they will come through your property?”

Thomas John Lewicki stated, “Yes.”

Alexandra Bobbit stated, “And, do you have an issue with the RV going through your property?”

Thomas John Lewicki stated, “No.”

Alexandra Bobbit stated, “Ok, no further questions.”

The City Attorney stated, “Are we done?”

Thomas John Lewicki stated, “Anybody wants any questions? Thank you all.”

Mayor Holman stated, “Thank you for your input and.”

The City Attorney stated, “Joey?”



The Public Works Director stated, "I'm good, unless you need something."

Melissa Martin stated, "Council will there be a time for closing arguments?"

The City Attorney stated, "Can you wait for just a second?"

Melissa Martin stated, "Yes, sir."

The City Attorney stated, "Councilor Lacewell has a question of the Director of the Parks."

The Public Works Director stated, "Parks and Rec.'s sure. That works too."

The City Attorney stated, "Parks and Rec.'s. I seen it on tv."

Mayor Holman stated, "Public Works Director."

The Public Works Director stated, "Whatever you want to call me, I'm fine."

The City Attorney stated, "I'll call you sir. Do you solemnly swear to tell the truth, the whole truth, nothing but the truth under penalty of perjury?"

The Public Works Director stated, "Yes, sir. I do."

The City Attorney stated, "State your name."

The Public Works Director stated, "Joe Jarvis, Public Works Director."

Councilor Lacewell stated, "Thank you Mr. Jarvis. I was wondering about the well. So, if Mr. Sorenson bought the property in 2014. How was he authorized to put in the well?"

The Public Works Director stated, "I don't know, because we have a city ordinance that states that's not allowed. That was before my time as a director. I don't know. Mr. Lewicki might be able to answer that. I'm not sure."

Councilor Lacewell stated, "Could that be something that Jenet could research about the, how they were able to get a permit for a well in 2014?"

The City Attorney stated, "It would probably be the OSE."

The Public Works Director stated, "The Office of the State Engineer. We don't issue those permits. You'd have to go to the state to draw a well permit."



Councilor Lacewell stated, “Well, but you can deny it because we tried to put in a well.”

The Public Works Director stated, “We do not have a. Well, our ordinance says if there’s water available or sewer within, I believe two hundred (200) feet, then you must connect and can’t put a well and lalala. I’ve never seen anything that says we can deny it because the permit doesn’t come to us. The well driller gets a permit, goes to the state, comes back does the work and doesn’t give us the word until it’s (inaudible).”

Councilor Lacewell stated, “I can testify that the (inaudible).”

The Public Works Director stated, “If it’s (inaudible) yes.”

Councilor Lacewell stated, “So, then the question would need to go back to Mr. Lewicki.”

The Public Works Director stated, “Maybe. He might know about it because he was the one who has the original well that starts and has the water.”

Councilor Lacewell stated, “Alright, thank you.”

The City Attorney stated, “Any questions of Mr. sir. You’re excused.”

Mayor Holman stated, “Well, just a second. Councilor Proctor.”

Councilor Proctor stated, “The water supply to the RV park.”

The Public Works Director stated, “Yes sir. RVs use very little water.”

Councilor Proctor stated, “Ok, but comes from the city.”

The Public Works Director stated, “Yes sir.”

Councilor Proctor stated, “Ok, thank you.”

Mayor Holman stated, “Joey.”

The Public Works Director stated, “Yes sir.”

Mayor Holman stated, “I have never heard you say ‘I don’t know’ before. You have always have an answer and its correct. I finally heard you say ‘I don’t know.’”



The Public Works Director stated, "Because I can speak a lot on this. I have walked Mr. Lewicki's property. There is no place to put an easement on the East side. It's impossible because there's property that have houses that are built to both fence lines. So, that isn't going to work. The easement is the easement and John you might look in to the easement situation over at where Riverbend was built because it's an easement just like this and that RV park was built in 2003 or 4."

Mayor Holman stated, "That was meant as a back door compliment."

The Public Works Director stated, "Well, you know, I always got something to say, just ask it."

The City Attorney stated, "A back door testimony."

Mayor Holman stated, "He is awfully good."

The City Attorney stated, "Do you have a question for Mr. Lewicki?"

Councilor Lacewell stated, "Oh, can he. (inaudible)."

Thomas John Lewicki stated, "I can come back up there."

Councilor Lacewell stated, "What's the story on the well in 2014?"

The City Attorney stated, "You're still under oath."

Thomas John Lewicki stated, "Yeah, Mr. Sorenson put a well in down there."

Councilor Lacewell stated, "In 2014?"

Thomas John Lewicki stated, "Yeah."

The Public Works Director stated, "You didn't have water in there (inaudible)."

Thomas John Lewicki stated, "We didn't have water for him there, but I mean, I would've gave him water. It was, you know, already piped into the house. But he wanted to do his own well and at the. Actually, the Sorenson's bought Drapers property also. So, they have one (1), two (2), three (3). They have three (3) homes on the East side of me. Plus, he owns a two hundred fifty (250) (inaudible) that I built him over in Arabella and plus has two (2) or three (3) ranches down in the valley. So, they have a lot of ranches for their kids to go to, if they're afraid of the RVs, I guess, I don't know. You know, they have other properties."



Mayor Holman stated, "Councilor Lacewell."

Councilor Lacewell stated, "Thank you, sir. So, is your personal home also on a well?"

Thomas John Lewicki stated, "Yes."

Councilor Lacewell stated, "Ok, thank you."

Thomas John Lewicki stated, "Yes that's been there since the '50's. It hasn't changed any level at all. And, it's been the same as it's always been."

Councilor Lacewell stated, "Thank you."

Thomas John Lewicki stated, "It's a running stream that runs through there and it's great water."

Councilor Lacewell stated, "Do you sell it?"

Thomas John Lewicki stated, "Thank you, any other questions?"

Mayor Holman stated, "Thank you again. It's still open to public."

The City Attorney stated, "Anybody else?"

Mayor Holman stated, "Ok, we'll close it."

The City Attorney stated, "Ms. Martin are you wanting to give a closing statement?"

Melissa Martin stated, "Yes, council. I sure do. And, you know, I hate cheesy closing statements, but I think in this context its very applicable. That old phrase, the road to hell is paved with good intentions and the reason I say that is because your zoning commissioner came up here today and articulated that his assessment of the language of the code of ordinances. The meaning behind this limited, this limiting language was to prevent the placement of RV parks that cut through residential neighborhoods with multiple families using them. That sort of thing. And I would implore you to consider that by determining that abutting, or rather having an easement to a major arterial roadway is enough to qualify as abutting and having to a major arterial roadway. You're doing exactly what you're trying to prevent. The next party that comes is going to say 'no, I have a public easement. I go down. I go from my property down avenue a. I cut over to avenue b. I cut over to avenue c and there, I'm at the highway.' That a public easement is a right of access just as the easement we're looking at here. And so, I would truly implore you to consider the ramifications of considering any easement access to a highway to be sufficient to be an RV park. As an attorney, I would be all over that with my next client saying that absolutely,



you qualify for a recreational RV park on your two (2) acres parcel up the road. Through this residential neighborhood. We will now be the City Council who is rewriting the city ordinances and determining who abuts and who doesn't by using, you know. There's no fair way to interpret, giving one (1) party. Saying you abut because you have an easement but not giving it to the next party that has a public easement. That's the way it's going to play out, then I would make that legal argument all day long. This property does not abut a major arterial roadway. And as your zoning commissioner stated, this is exactly why this language is in there. Is so that you don't have, you know RV park access cutting through properties with children, or neighborhoods, or the like. And maybe it's unfortunate, as one of the zoning commissioners stated in their hearing, it may be unfortunate that theirs the term 'abuts and has access to' but that's the way the code is written. And it's not for me or you to simply rewrite it, as we see fit. So, I would implore you to look at that language and consider what it's going to mean for the community when you just disregard one of those two terms. And consider that fully before you make a decision to allow this because I think that you're opening pandora's box. Now considering the easement, I will close by giving you some language straight from the New Mexico's Supreme Court. That loves quoting to them because there's no higher authority to them in the state of New Mexico. And what they say is 'a preference exists in New Mexico to narrowly construe the rights created by an easement' that's in Walker v. United States from 1981. They continue that the New Mexico Supreme Court has noted that "the law is jealous of easement claims and the burden is on the party asserting such a claim to prove it clearly." Now I would consider whether Excalibur, in this case, has clearly proven simply because this property is zoned C-2, that you are permitted as the City of Ruidoso, to permit RVs, campers, trailers, what have you, in and out of this property. And that, that is sufficient and that is agreeable in scope to what has gone on that property for the past twenty (20) years. I like to listen to the Supreme Court in New Mexico. It say's to consider these easements narrowly and I would encourage you to do the same. Thank you so much."

The City Attorney stated, "Thank you. Ms. Bobbit."

Melissa Martin stated, "I'm sorry, was there a question for me in there?"

Mayor Holman stated, "No."

Melissa Martin stated, "Thank you."

Alexandra Bobbit stated, "I did enjoy, the road to hell is paved with good intentions, because we're not looking at intentions here. We're looking at fact and the idea that we are using public roadways to be something that we are then attacking you on it. Claiming that well, if you grant this deal with this easement but then any house, that is up against a public roadway, is up against an avenue or a road or, you know, a city owned property will give everyone the ability to put in RVs and RVs will be everywhere. How dare they. That's not what we have here. We don't, that



doesn't exist. And so, when someone is trying to make you feel like you are rewriting ordinances, or you're rewriting things. That's not what you're doing. In this situation, it is abundantly clear, that you are being asked to uphold the ordinance. And if whatever way it is that you decide to make that decision, obviously we want it to be made in ours, but we do want to make sure that the facts are very clear. And it's not, you know there's this claim, this legal argument that can be made all day. It's, again, it's not legal, it's a factual argument. When you are granted an easement, you own that property. When you live on a home that is on avenue a, that connects to avenue b, that connects to avenue c, you don't own those roadways. Avenue a is not yours. Avenue b is not yours. You pay taxes on them but they are not yours to maintain. They are not to be considered your property. You don't have deeds to those properties. You don't have deeds to those roads. I, you know, with my home, my home abuts up to a public roadway. I don't have any deed that tells me that I own my road way. This situation is one where there is ownership of a roadway. The City of Ruidoso Downs does not own it. It is owned by my client. He is the dominant. This is again where the dominant servient really comes into play because the property, the property of the Sorenson's and the property of the Lewicki's that has been granted to now my client's property. And so, he maintains. He is the one that takes care of that road. That's not going to be a responsibility of the City of Ruidoso Downs. And so, to kind of put this idea of fear in you that all of a sudden resident, all residential neighborhoods will have RVs in them because that's what you're setting up. You're not setting up that precedent. You are following through with the ordinance that you've been provided. And if you make the decision that a privately owned easement is considered to be abutting up against a highway and that someone owns that easement, so therefore, that is considered to be abutting and access. If you make that decision then that is what is upholding here. It's not that you're reworking or rewriting. And so, obviously we implore you to understand or to ask or to find that the privately owned easement, that is maintained by my client, that is deeded to my client, that is considered to be part of my client's property, that that is property of his abuts to a major highway, and therefore allows access. And again, when it comes to the RVs, and again this idea that their being thrown up everywhere. It's very clearly stated in the ordinances in Section 155.083 that, 'in order for there to be recreational vehicle park development, they have to get a conditional use permit.' So, all RVs have to come before the City of Ruidoso Downs. Either the Planning & Zoning Commission and then, if appealed, obviously to you, but it has to come before the city. And it has to be agreed to, voted on by the Planning & Zoning Commission that you all have in place. And if not agreed to, brought to you by appeal. So, the City of Ruidoso Downs, in their ordinances, has themselves that you have to approve every single RV park. You don't necessarily have to approve every business that goes in. I know you have to get business permits and whatnot but it's very. And then even with that recreational vehicle, it goes into a whole list of guidelines as to what has to happen here. That is has to be twenty-seven (27) foot road and you have a thirty (30) foot road situation. You know, where your setbacks are. And that again, this is only something that could happen in a C-2. This is not something that could happen in a residential. And so, I just want to make it very clear that the idea that now, all of a sudden, if you do pass this, you're looking at tons of lawsuits or tons of asks for RVs. And all of a sudden,



you'll have to grant them because of the precedents you set. It's not, it is not the same as the situation you have before you. And so, I just wanted to make sure we got that really, really clear. And so, again, we're just asking that you uphold the ordinance as written. Finding that the easement itself is owned by my client. Therefore, making his property, as deeded, and therefore does abut and have access. When we're talking about New Mexico state law and Supreme Court and all of that. Again, you know, here it's interesting because, you know. If you're in court, then we make arguments about well New Mexico Supreme Court said this and that. And then we'll have judges that will find other cases or finds mixes in terms of what is clear. You know, clearly stated, and then the judges will render their opinion. Here, we, and it does state, I have the case where it does state that there is a preference exists and narrowly construe it is the burden of the party to prove clearly. Now, interestingly enough, when I was looking at the cases that supplied that information, there are several of the cases that were listed in your case of appeal. That when you look them up have negative treatment. And what that means, is that a holding those cases that did say these things were actually found in other cases to not be followed because they were not considered to be. Well that they'd be that the Supreme Court. Bless you. That the Supreme Court wanted to follow or they thought there needed to be an exception to that. And so, when you, when you are reading your appeal packet, you see the listing of the cases and you see what referencing them. One, again, those cases are very different than the situation we have here. And I'm not expecting everyone. I got the cases if you want to read forty (40) plus pages of case law. I will more than happily give it you. However, I urge you to read that with caution just because again not all the cases are just fully accepted. New Mexico has found that the cases that are referenced are negatively treated later. So, not completely followed. And, and then, additionally that's not. That's not something that necessarily dictates the end all be all, right. And it's also something that, without knowing the extent of the cases. Like one of the cases, is a water drainage case, which is not applicable in this matter. Another one is about how a roadway was square and the court turned it into a non-square roadway. And so, it was an easement, they made it from being a box to being a curve, like a roadway does. And what I found actually interesting is the majority of these cases actually found in favor of the people that had the easement. And so, just something a grain of salt to kind of take with that when you are reading. But either way, even if we do follow those things, the preference that you narrowly construe is then that you have to narrowly construe. Which means, that where it states easement b on the replat, where it says access and utilities, you have to narrowly construe that. Which means, if the easement is allowing access in and out, then the easement is doing its job. That is the construction of the easement. That is the purpose of the easement. My client needs that as the easement is being used for access in and access out. So, if you're narrowly construing, he does meet that requirement. And then on the burden of the party to prove, the clear, a clear reference of the easement, we have C-2 property, we have an easement on C-2 property, the easement is allowing access. And so, my client today, has shown that burden of the fact that the easement is for access and it's for utilities. And so, even, even if you, you know, if you read it and your like, you know I do want to follow this rule, you know, the law the way that they have listed it. Then, my client does meet those two burdens. Those two pure burdens that they have set forth. And so, again, we



are asking, that you, that you are not rewriting. That you are taking the ordinance and applying it, as it is written. And that, in the fact that my client privately owns, and has title to, is deeded the easement that is considered to be part of his property. It's considered to be abutment. And you know, and actually you know. One of the really good points that I heard was, what other business would you want in there. It's not going to sit, right? It's a C-2 property. Someone is going to put a business on there. If it's not an RV park, like you're not ok with the RV park, in your mind, your worst-case scenario. Are you ok with your worst-case scenario business being in that area? Whether it be a marijuana shop, or it be a shooting range. Whether it be, whatever your mind can conjure, right. And so, is an RV park compared to your worst thought of business being on that property. Which one is sounding better? And so, you know, I can say my client, in the EPO packet has submitted what the structure, what the layout of the RV park will be. It has passed the conditional use permit as it was required to do. You know, my client, like we've heard of their business, Oasis. We're just trying to create something that can kind of you know, obviously make a profit for Oasis, but also to come to Ruidoso, Ruidoso Downs, Lincoln County in general and have somewhere beautiful that they can set up and relax. If they, you know, even if its long-term residence. Maybe as we've heard earlier, maybe have some families there. Maybe having, you know, families that stay for an extended summer, etc. So, while there could be the idea of having, you know, are hesitant to RV parks could think about the beauty they could bring as well. And so, my client did want to make sure that we thank everybody for letting us to be here today. For hearing us out. We know that you do not have an easy decision before you. You've been attacked with a lot of information. And so, we ask, obviously, that you find it in our favor and grant the RV park. Thank you."

Councilor Lacewell stated, "Before you go, Mayor (inaudible). I have a piece of property and we bought four (4) acres behind it and it came with an easement. And it would have been right, literally, just right on the property line. So, we moved the easement to the end of the property. And with the people that we bought it from. I don't remember a term like legal title to an easement that somebody has access across my property. So, in the future, we needed an easement and I know it's there. Where in the, we have seventy-seven (77) pages of documents. And I'm sure that theirs a title somewhere. A deed that say's their legal title to the easement. And I'm wondering if you could help me find it on the title?"

Alexandra Bobbit stated, "Sure. So that on is titled the grant of easement and let me see if I have. A giant stack of paperwork. Let me see if I have a page number on this."

Melissa Martin stated, "And council, if I may at some point comment on this as well, because I think it's critical to this discussion and frankly a misstatement of the law."

The City Attorney stated, "At a certain point, we're going to have to."



Melissa Martin stated, “Yes, I understand that sir and I really think this is a clear misstatement of the law, and it needs to be clarified. And I want that to be on the record please.”

Alexandra Bobbit stated, “I would like to say it’s on page sixteen (16) but can I? Is it ok if I approach?”

The City Attorney stated, “Go ahead.”

Alexandra Bobbit stated, “And let me show you what it looks like. This will make.”

Councilor Lacewell stated, “Ok.”

Alexandra Bobbit stated, “So, it’s the one that looks like this.”

Councilor Lacewell stated, “Oh, its on one of those.”

Alexandra Bobbit stated, “And then it says in grant easement, so.”

Councilor Lacewell stated, “Ok, I’ll look for that one. Ok, alright, sure.”

The City Attorney stated, “Ms. Martin.”

Melissa Martin stated, “Yes, council. I just like to clarify and I mean no disrespect to opposing counsel but this is a very fundamental concept in property law and I’m concerned that this hearing has gone so sideways that we are now alleging that there is ownership rights of associated with an easement. That he owns title to this property. And I would like to very clearly state pursuant to the laws of New Mexico, ‘an easement is a right to use another person’s property for specific, a specific purpose, but it does not equate to ownership of the land.’ And it is a nonpossessory right. So, I want to be clear that, that is exactly what makes an easement, an easement rather than property owned by Excalibur. Yes, the easement right is conveyed under the deed, but that does not mean he has title to that land. He has a right. That is fundamental to this discussion that he owns no title to the property that abuts the highway. So, I want to make that very clear. That is a fundamental principal of property law and I would. I’m sure the city attorney would agree with me on that. But there is a difference between a right and title ownership of that land.”

The City Attorney stated, “Ok, my turn. And I’ll be quick. This is a nonpossessory right, but I would argue that, and this is under City of Rio Rancho versus Amrep southwest, 150 New Mexico 428, ‘that an easement is a portent. It passes with the land to which it which it is a portent. And to which it is created to serve the dominant estate.’ So, it’s a nonpossessory right, but it’s a right that passes with that piece of property. It’s an indisputable right that goes with that



piece of property. So, the argument that there's, that this ambiguous, in my opinion, begs the question, because it's so non ambiguous as clear as the nose on your face. It says a thirty (30) foot wide easement for access and utilities. So often times, we run across easements that says for use by, for personal use only. Some of them say, for commercial use only. Some of them say, for no commercial use. Ok, but there is no such limiting language on this grant of easement. It's an easement that says its for access. So on, it's a, council, it's the city's argument that when one piece of land, with an easement on it, that is zoned for C-2, it's used for that piece of property. And I believe that it grants an abutment to the arterial road. I would, I guess, on the other side of the point say, the wonderful thing here is that it's a conditional use and it has to be granted because the unconditional uses that can go into this parcel next month. When the current owner sells it, if this doesn't go through, our automobile, boat, recreational vehicles and sales, automobile upholstery shops, churches, entertainment, essential utilities, hospitals, medical clinics, metal working and machine shops, hotels, motels, cabins, bed and breakfasts, and other such lodging establishments, radio and television studio, rental stores, restaurants, bars, package liquor sells, retail sales services, schools, structural services, (inaudible) small engine repair, (inaudible) shops, and pawn shops. None of those require a conditional use. It's one of the beautiful parts of the city code is that the conditional use gives this council the right to grant use of that property, with certain conditions. Now what the Planning Commission did was grant use of that piece of property, based upon abutting being the right of an easement that goes with that piece of property when it's transferred of record. Whenever he transfers it, that easement goes with it. It's a right. It's a nonpossessory right but it's a right. So, so this was limited to a five (5) mile per hour speed limit. And I don't know how far you can spit councilor, but if you can spit on it, that's fine. But it doesn't matter, it was bought with that easement. The easement was placed on there prior to the protestants, the absence of the appellants, acquirement of property to it. So, they acquire. Whenever you acquire property, you acquire it as it comes to you. And so, that property came to them as a C-2 with all the rights it inherits within our planning code. And the applicant has filed an application for conditional use, the Planning Commission heard that application and granted that application. And, and the appellant have the perfect right to appeal that to this commission and that is what they have done. But I would ask the Council uphold the decision of the Planning Commission and grant conditional use. I might say that you have been inundated with a lot of information today. And if the Council wants, I understand to withhold a certain period of time at which to render a decision. If you feel that's necessary. Or if you wish to go ahead and render a decision today, that's fine too."

Melissa Martin stated, "And council If I may respond. I'd just say that, you know."

The City Attorney stated, "You've responded over and over again. Time for an argument is over."

(inaudible)



Mayor Holman stated, "Councilor Proctor, you have the floor."

Councilor Proctor stated, "Thank you, mayor. Well, when did your client start seeking purchase of this property? When did you start looking at the property sir?"

The City Attorney stated, "If I may remind you, you're sworn in."

Edgar Ontiveros stated, "Last year. Sometime last year. Probably, July forward."

Councilor Proctor stated, "In 2023."

Edgar Ontiveros stated, "Yes, sir."

Councilor Proctor stated, "Ok, thank you."

Mayor Holman stated, "Ok, yes councilor."

Councilor Lacewell stated, "I'd like to address the other councilors. I know that Councilor Miller and I have seen this property. And I would also like to see it. I also want to study the ordinances that we have. The terminology to the words like, 'and' and 'or.' And so, personally, I'd like to postpone the vote on this until the next City Council meeting and I was just wondering what their input would be."

Mayor Holman stated, "Yes, sir."

Edgar Ontiveros stated, "One quick comment to your question of when I bought the property in the ads, and everywhere that it was posted. It was posted for RV use and so it was heavily, you know."

Councilor Proctor stated, "I understand. I was just curious sir. When your interest come for that property to put an RV park in there. That's all."

Edgar Ontiveros stated, "Ok, thank you."

Melissa Martin stated, "Council, for the record, I'd just like to say that there was more I'd like to address the city attorney's statements. And I was unable to do so, but I would like it, the record to reflect that request was denied."

The City Attorney stated, "Well, can, how long will it take?"

Melissa Martin stated, "Just one moment. Just one moment."



The City Attorney stated, “Go ahead.”

Melissa Martin stated, “I just want to state that I’m looking at City of Rio Rancho v. Armrep southwest and I would state. In response to your claim, over and over again, that the zoning controls, the zoning controls. I have seen no case law presented to state that the zoning of a piece of property is the manifest intent of the parties. And the case that you, so up-ly cited, states ‘it sets forth the principal that an easement should be construed according to its express and specific terms as a manifestation of the intent of the parties.’ Now, again, I have seen. There’s this rush to say that because the property is zoned a certain either residential or commercial, that apparently in Ruidoso that means that anything that falls under those zoning ordinances flies on an easement. And I would just strongly, you know, strongly oppose that notion. That’s not, that’s not how New Mexico interprets easements. It’s not. I can tell you, from looking at the case law when you look at a residential easement. There’s a lot that goes into determining the scope. Not just the zoning of that property. Thank you.”

The City Attorney stated, “So, as long as you have a (inaudible). I think that manifesting is stated by the easement itself. It says it’s a thirty (30) foot wide easement with access and utilities. I don’t see any limiting language in that residential.”

Melissa Martin stated, “Which is why it would go to the surrounding circumstances, thank you.”

The City Attorney stated, “Which is C-2 zoning.”

Councilor Lacewell stated, “Mayor, would it be ok for me to make a motion?”

Mayor Holman stated, “Yes, it sure would.”

Councilor Lacewell stated, “I move that we postpone the vote on this issue until the next city council meeting.”

Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

The City Attorney stated, “I do want to say that if any of counsel want to present a written document to the Council, you’re free to do so. You’ll need to give the opposing counsel a copy of that and that needs to be done.”

Councilor Proctor stated, “I thought it said forty-five (45) days.”

The City Attorney stated, “That’s the decision. So, March the eleventh. So, if you want to present something to Council by March the fourth for them to review, that’s fine.”



## **NEW BUSINESS**

Councilor Lacewell moved to address item D before all items under New Business. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

### **D. Discussion and Possible Action on Approval of the Law Enforcement Retention Fund Grant.**

Councilor Lacewell moved to discuss the Law Enforcement Retention Fund Grant. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

The Deputy Police Chief presented and requested for approval of the grant.

Councilor Lacewell moved to approve Law Enforcement Retention Fund Grant. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

### **A. Discussion and Possible Action on Approval of Agreement for the All American Park Paving and Drainage Project.**

Councilor Lacewell moved to discuss the Approval of Agreement for the All American Park Paving and Drainage Project. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

The Public Works Director presented and requested for approval of the Agreement.

Councilor Baber moved to approve the Agreement for the All American Park Paving and Drainage Project. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

### **B. Discussion and Possible Action on Approval of Change Order No. 1 to La Luz Dirt and Paving LLC to correct quantity's of basecourse on the Colonias CiF 5789 project in the amount of \$30,548.44.**

Councilor Lacewell moved to discuss the Approval of Change Order No. 1 to La Luz Dirt and Paving LLC to correct quantity's of basecourse on the Colonias CiF 5789 project in the amount of \$30,548.44. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

The Public Works Director presented and requested for approval of Change Order No. 1.

Councilor Proctor moved to approve Change Order No. 1 to La Luz Dirt and Paving LLC to correct quantity's of basecourse on the Colonias CiF 5789 project in the amount of \$30,548.44. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.



**C. Discussion and Possible Action on Approval of Resolution 2024-07, a Resolution Authorizing the Submittal of an Application for the 2024-2025 New Mexico Department of Transportation Municipal Arterial Program Funds for Street and Drainage Improvements within Ruidoso Downs, New Mexico.**

Councilor Baber moved to discuss the Approval of Change Order No. 1 to La Luz Dirt and Paving LLC to correct quantity's of basecourse on the Colonias CiF 5789 project in the amount of \$30,548.44. Councilor Lacewell seconded and upon a roll call vote of all voting “aye” the motion passed.

The Public Works Director presented and requested for approval of Resolution 2024-07.

Councilor Baber moved to approve Resolution 2024-07, a Resolution Authorizing the Submittal of an Application for the 2024-2025 New Mexico Department of Transportation Municipal Arterial Program Funds for Street and Drainage Improvements within Ruidoso Downs, New Mexico. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**E. Discussion and Possible Action on Approval of the Creation of a Temporary Multi-Jurisdictional Hazard Mitigation Plan Advisory Committee.**

Councilor Lacewell moved to discuss the Creation of a Temporary Multi- Jurisdictional Hazard Mitigation Plan Advisory Committee. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Baber presented on the findings of the Multi- Jurisdictional Hazard Mitigation Plan.

Councilor Baber moved to have a public hearing on the Multi- Jurisdictional Hazard Mitigation Plan at the next regular council meeting. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**F. Discussion and Possible Action on Approval of Ruidoso Downs Beautification Committee Amended By-Laws.**

Councilor Miller requested additional time to produce the Amended By-Laws and requested this be postponed.

Councilor Lacewell moved to postpone the Ruidoso Downs Beautification Committee Amended By-Laws to the April 22<sup>nd</sup> Regular City Council Meeting. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.



**G. Discussion and Possible Action on Approval of the City of Ruidoso Downs Certificate of Records Destruction 2024-001.**

Councilor Lacewell moved to discuss the Approval of the City of Ruidoso Downs Certificate of Records Destruction 2024-001. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

The City Clerk presented the Certificate of Records Destruction 2024-001.

Councilor Lacewell moved to approve the City of Ruidoso Downs Certificate of Records Destruction 2024-001 with the audio/video recordings to be destroyed 2 years after the meeting date. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**H. Discussion and Possible Action on Approval of Resolution 2024-06, A Resolution Establishing the City of Ruidoso Downs Governing Regular Council Meetings and Workshop Meetings.**

Councilor Lacewell moved to discuss the Approval of Resolution 2024-06, A Resolution Establishing the City of Ruidoso Downs Governing Regular Council Meetings and Workshop Meetings. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman presented Resolution 2024-06.

Councilor Lacewell moved to approve the Resolution 2024-06, A Resolution Establishing the City of Ruidoso Downs Governing Regular Council Meetings and Workshop Meetings. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 5:32 p.m.

**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

\_\_\_\_\_  
Dean Holman, Mayor

**ATTEST:**

\_\_\_\_\_  
Alejandra L. Giron, MMC  
City Clerk/Treasurer



# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF GOVERNING BODY MINUTES -**

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*February 12, 2024, Regular Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Regular Session on February 12, 2024, Regular Meeting Minutes, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, February 12, 2024, Regular Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft February 12, 2024, Regular Meeting Minutes

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
FEBRUARY 12, 2024**

The City of Ruidoso Downs Council met in a regular session on Monday, February 12, 2024. Mayor Holman called the regular meeting to order at 2:00 p.m. and asked Councilor Proctor to lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Proctor, Councilor Baber, Councilor Miller, Councilor Lacewell

**Meeting Participants:**

John Underwood, City Attorney  
Alejandra L. Giron, City Clerk/Treasurer  
Joe Commander, Police Chief  
Robert Knight, Deputy Police Chief  
Nicholas Malone, Patrol Officer  
Jennet Recendez, Planning Services Director

**Meeting Participants via Zoom:**

Wendy Blackwell, Hazard Mitigation Rep.

**APPROVAL OF AGENDA**

Mayor Holman entertained a motion to approve the agenda.

Inaudible.

Councilor Miller moved to approve the Agenda as presented. There being no Second, the motion died.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

**A. \*APPROVAL OF GOVERNING BODY MINUTES**

- \*December 11, 2023, Regular Meeting Minutes
- \*January 8, 2024, Regular Meeting Minutes
- \*January 22, 2024, Regular Meeting Minutes

Inaudible.

Councilor Miller moved to approve the Consent Agenda as presented. There being no Second, the motion died.



Mayor Holman stated, “No Second that brings us to Public Input. Any citizen who would like to address the governing body.”

Councilor Lacewell stated (Inaudible).

Mayor Holman stated (Inaudible).

Councilor Lacewell stated (Inaudible).

Councilor Proctor stated, “I’ll second that.”

Mayor Holman stated, (Inaudible).

The City Clerk stated, “Councilor Miller.”

Councilor Miller stated, “Aye”

The City Clerk stated, “Councilor Proctor.”

Councilor Proctor stated, “Aye”

The City Clerk stated, “Councilor Baber.”

Councilor Baber stated, “Aye”

The City Clerk stated, “Councilor Lacewell.”

Councilor Lacewell stated, “Aye”

The City Clerk stated, “Motion carried.”

Inaudible.

### **PUBLIC INPUT**

Pam Williams stated, “Good afternoon, my name is Pam Williams. I am wondering why our city administration refuses to listen to the citizens of Ruidoso downs. We ask that our City Council meetings return to 5:30 p.m. We ask that our votes return to being controlled by our city, not the county. It’s not about what is convenient for all of you. This is about our citizens. I still feel it’s important that our city government should be investigated, a deep forensic audit and even more so now. All Departments money disappeared under the last administration, you say. Without having a balance sheet, we’re working blindfolded. I feel we have elected city councilors with



ethics. I'm not so confident in our mayor, clerk, and lawyer. Our mayor came into power and gave the control to an inexperienced Clerk, who depended upon the lawyer."

Mayor Holman stated, (Inaudible).

Pam Williams stated, "But this is the truth."

Mayor Holman stated, (Inaudible).

Pam Williams stated, "Yes, sir and I'm abiding."

Mayor Holman stated, "No you're not."

Pam Williams stated, "Yes, I am. We elected new city councilors and you refuse to allow them a voice. You are corrupt. You do not own the city and you do not have control. You cannot ignore the legislative branch. We expect this administration to follow all the laws of our city and follow the employee manual completely. You must not pick and choose which rules you follow. No one is above the law. There are state statutes that must be followed also. You must allow our city councilors to do their job. You must step up and be honest with our citizens or step down."

Mayor Holman stated "Mr. Williams."

Wayne Williams stated, "Yes, sir."

The City Attorney stated, "May I ask if, if the comments that you have that you're going to state orally or in writing if you mind give me those, those written comments for the purposes so that she can be sure and hold those for saving."

Wayne Williams stated, "No, mine is not in writing."

The City Attorney stated, "ok."

Wayne Williams stated, "My name is Wayne Williams, uh, good afternoon ladies and gentleman, uhm. It seems like how soon we forget some twenty years ago, we started to get involved in city council meetings and what runs with the city and it was ah over by Joyce's house sitting in her kitchen table along with Jody's parents and ah several other people that we tried to get the mayor elected to the city council. And, there was no hate at the at the people who were holding those offices at the time. There was no hate at all. I don't allow hate in my house. Ok, the last meeting, the mayor looked right at this side of the table room over here and called us a bunch of haters. You know, we're going to let that slide because I don't know whether its ignorance or you don't know the difference between that and, and frustrated voters. But a little



fair warning Mr. Mayor choose your words softly and use a little common sense and respect when you're addressing my wife because I ain't going to let it slide again. Is that understood?"

Inaudible.

Mayor Holman stated, "Those are some inaccurate statements. You know I can remember when you stood right there and said Dean Holman is the only councilor worth anything sitting up there. I thank you for that. (Inaudible) Ok, do we have anyone else. Hey Bonnie."

Bonnie Richardson stated, "Mayor and Trustees, my name is Bonnie Richardson. I am a long-time resident of Ruidoso Downs and I've ran across this, under General Provisions under chapter 32, City Officials. I don't know what you call it. It's a rule book, a blue book."

A lady stated, "ordinances."

Bonnie Richardson stated, "Ordinances. Ok, thank you. Ahh it it tells who the appointed officers of the city are and uh underneath that it has appointment terms. It says 'At an organizational meeting of the city council, which this year would've been January the eighth, which shall be held every two years following what used to be the March election. The mayor shall immediately submit for confirmation by the city council the names of persons who shall fill various appointive offices of the city or shall serve as members of the various special boards, commissions, or committees of the city.' To me, this does not mean that you have to give a seventy-two-hour notice for anything from your new council. This is a standing two-year provision of the city ordinances. Thank you."

Mayor Holman stated, "Thank you, Bonnie. Do we have anybody else that's going to, ok. Would you be sure and state your name please?"

Mistie Greathouse stated, "Hello everyone, I'm Mistie Greathouse. I am from the Hampton Inn here in town and I am also ah on the Lodgers' Tax Committee. I am coming to you guys because one of our long-term members did not get reappointed this year and we're very concerned about this. We have already had to postpone our first meeting this year because we did not have a quorum. Uhm, all of us have full-time jobs and kids that we have to attend to. So, our member that was not reappointed was like our go to person to be able to attend the meetings. She is very valuable to our committee. She does all of our extra research and stuff for us since we are busy with work and kids and everything. So uhm, now we're shorthanded, uhm it's very hard for us to have a complete forum. Uhm, we're now two people short on our committee. We've been trying to fill one spot on our committee for the last two years. Both of the people you have appointed to our committee we've never even seen. Never showed up to a meeting. Never contacted us, anything. So, taking her out was, I believe uncalled for and we would really like you guys to



revisit her appointment uhm because, you know we've really needed her and it's not like we've really had anybody else, you know."

Mayor Holman stated, "Thank you for that information. It may be something that I overlooked."

Mistie Greathouse stated, "Ok, thank you very much."

Mayor Holman stated, "Oh my goodness."

Gary Williams stated, "Yeah! I'm never here what's up with that."

Mayor Holman stated, "Mayor, mayor."

Gary Williams stated, "Gary Williams, good afternoon. Resident of the city and I wasn't available to congratulate the newly elected and re-elected Councilors. Welcome, glad to have you here. I believe this ah, with your presence here the city can move out of the shadow of darkness into the light. City Council, at the organization meeting in January, voted to re-ahh to have the appointed employee from the City Clerk's office not detain and the council needed to have a name of an individual presented to them so that they could follow through of their obligation to fill that position. That has not been done. We've gone to two meetings now and no name has been presented to Council for them to continue doing what they were voted to do. That is to put employees in positions and right now that's not happening. And I'm a little dismayed by that, the fact that there's no working relationship between the executive and the legislative bodies. Their responsibility and obligation of the executive board is to make me, as a citizen, believe and trust to do and that has not happened. And as long as you continue this effort, the city will not flourish and will not move forward. You have an obligation. The Council the executive Council to present a name to the legislative body, council has an obligation to approve for that position to be filled so the city government can function at the high level as we as citizens expect. And the services that are provided are of high quality. You were all voted in to do the job and right now it's not happening. And I'm sitting back there and I don't want to say anything but I got to say something because if it's not brought up then people will not know what is going on here. You have an obligation, again, under the rules of the city, to do your job from the executive to legislative, work together to get it done so the city can move forward. And then people can look at us and say that's a well-oiled machine that's happening here in the City of Ruidoso Downs. Gentleman, ladies, like that one individual mentioned and is (inaudible) was saying, get it done. Yes, get it done."

Mayor Holman stated, "Thank you, mayor. Anyone else want to address the governing body? Ok, Councilor Comments. Councilors?"

### **COUNCILORS COMMENTS**



Councilor Lacewell stated, “Do you want to go first, Judy?”

Councilor Miller stated, “Yeah, I kind of, Mayor, if it’s, ok? I kind of have to agree with Jerry some. Jerry, I’m sorry, Gary! It’s close, that was close. Anyway, I have to agree with him that we need communication. We don’t have communication here. I don’t have communication. A little bit with the mayor because he did call me the other day, but I’m not welcome at city hall and I don’t like that. I have to ask to come in. I have to make an appointment. I never know where I’m going to be from one point to the next because I’m a caregiver. But I would like to come in when I have time and that’s not allowed. And also, we need to learn our ordinances. We all need to get together on it. We all need to learn our state statutes, not just somebody’s opinion. We need to learn them and that’s communication and that also will help our city flourish and it will also help our residents if we are all on the same page. And I don’t like people that don’t talk to me. I like them but I don’t like their actions and people that don’t talk to me or ignore me because I’m here for the good of the residents. They are the ones that hire and fire us. They’re the ones that say who gets up here, is our residents. They’re our boss. Nobody else is my boss, but these residents and I plan to be there for them for the good of this town and for the good of our residents and that’s the oath I took. Now I don’t understand why we can’t communicate, we’re humans. One phrase Jimmy always said dogs bark and bite and get mad, humans know better. You know, so I want communication. I want a workshop on our, on our, state statutes also on our Ordinances. So, we are all on the same page and that’s all I’m asking. I don’t like this feeling of people not communicating because that’s our job. So, thank you everybody and I hope we can do that, hope we can start communicating.”

Mayor Holman stated, “I’ll ask you since you and I have been here the longest and you will remember just a yes and no answer, ok?”

Councilor Miller stated, “ok.”

Mayor Holman stated, “You remember when ahh a former Mayor Williams refused to appoint ahh Carol Virden as uhm the City Clerk and she was in limbo for two years. Do you remember that?”

Councilor Miller stated, “I remember that but he brought a name forward and we didn’t agree on it so she stayed as our clerk.”

Mayor Holman stated, “Oh well sounds to me like there’s always been some problems with the Council. Small town, that happens.”

Councilor Miller stated, “Yeah, but there’s no reason for it.”

Mayor Holman stated, “No.”



Councilor Miller stated, “We need to get on the same page. I would like to have a workshop or a special meeting just on our ordinances and hear everybody’s opinion because we’re the ones that make those ordinances at this time and not somebody’s opinion on how it works, the actual state statute. And if we want to change something that can be done to a degree, I think but not that we can go totally against the state statute. So, we have to get together and we have to be able to talk to each other. We have to be able to listen to each other, but most of all we have to go by state statutes. So, thank you and I think you will.”

Mayor Holman stated, “Yes, Councilor Proctor.”

Councilor Proctor stated, “Hey if we’ve, ought to get this started first of all we have to be on the agenda before we can do our job here, period. Ok, I’m going to leave it there. I’ve got one vote. Ok, each councilor has got one vote, but we can’t vote on something that you’ve asked us to do if we can’t put it on the agenda. A workshop has even been looked at as favorable even on the people up there in Santa Fe. They think it’s a good idea. Ah, I’ve discussed this ah with our mayor. He’s, I’m not going to use the word considered it, you’re looking into it to make possibly (inaudible). The meetings, we don’t know the, the times that it, our agenda is gotten out to us. I do think that is on our agenda today to vote on it, if I’m not mistaken, but give us time to, for what it’s worth this is our third meeting. I’m not going to say we can work all the kinks out but we can surely straighten some of it out. Be patient with us, while we’re being patient with our government and it’s, it’s The way I look at it, fix the things you can fix, leave the things alone that you can’t fix and may God give us the knowledge to know the difference between the two. All of this we’re talking about today is fixable and we can fix it. Thank you.”

Mayor Holman stated, “Just so everyone will know, and Councilor Miller. I’m down here more than any mayor by far has ever been. And do you remember when ah you thought maybe ah I was never here and I asked the Police Chief. Several people, several people that said mayor you’re here every day, most of the day. Sometime you’re not, not aware of it and I’m going to spend some less time because I’m down here way, way too much. Uhm, the reason you need to make an appointment, here’s a good example, I was in Las Cruces today at the dermatologist and he drilled so far, I looked on this side to see if he came through. Its throbbing like heck, but I made a point to get back. But if you come down here and I have a doctor’s appointment in Las Cruces, I’m like anybody I ahh there’s times when I have obligations. I won’t be here and ah then you’re really going to be mad.”

Councilor Miller stated, “I won’t.”

Mayor Holman stated, “You have, you have pretty good patience with me. Ok, so anymore, Councilor.”



Councilor Lacewell stated, “Yes mayor, thank you. This is to the citizens of Ruidoso Downs. A month ago, on January 8, 2023 this City Council did not confirm four individuals who are being paid by you, the citizens of Ruidoso Downs. However, I believe you and we are paying over \$313,536.00 a year to just these four people. Two of these people are appointed officials. The other two are employees. The mayor failed to obey the laws of New Mexico when he failed to present four names to replace these four people on January 22, at the City Council meeting. He may not submit the same names as the people that were not confirmed. So eventually, all of these individuals will not be drawing a paycheck from the City of Ruidoso Downs. Last week a Supreme Court Justice declared that “shall” is mandatory. New Mexico statute 3-11-5 (a) says in part, if the governing body fails to affirm, to confirm any person as an appointed official or employee of the municipality, the mayor, at the next regular meeting of the governing body, shall submit the name of another person to fill the appointed office or to be employed by the municipality. Shall is mandatory. Also, a month ago, on January 8, 2023, this City Council was denied the responsibility we have been assigned by law. New Mexico state statute 3-12-3, under governing body powers and duties, states that the governing body shall determine the time and place of its meeting. Which shall be open to the public and determine the rules of its own meeting. The City of Ruidoso Downs ordinance 31.02 states City Council shall determine the time and place of holding its meeting and shall be open to the public and determine the rules of its own procedure. Mayor Holman is denying our responsibility, by law, to the power and duty of our position as the governing body of Ruidoso Downs. We were denied this duty a second time at the last City Council meeting on January twenty second and a third time today. All four of our councilors have submitted requests to be on the last two agendas but this mayor will not allow any of the councilors to put something on the agenda. He is exercising unreasonable and unauthorized legislative power over the City Council and he is preventing the City Council from addressing important issues because we cannot discuss or act, and we cannot act on anything that he refuses to put it on the agenda. Its unprecedented agenda control is a threat to our local democracy and to civil discussion. I believe we’re going to have to seek outside legal advice to force this mayor to obey the law.”

Mayor Holman stated, “Any other Councilors? There are two things in a conversation with Councilor Proctor. We will be I have directed the Finance Director to give monthly reports that’s never been done before. We haven’t done it before but she will be giving monthly reports just like the Directors do. The other thing I mentioned in the conversation and I think uh, Councilor Proctor will say ‘yes, that did happen.’ I told him, I said I really don’t care when we meet. I don’t care, doesn’t make me any difference. So, I did I did let him know and he can pass that on to you guys. I don’t care. There’s, there’s good things about both. There’s bad things, or it’s a tradeoff either way you do on it. Whatever you want to do on that time meeting, that’s fine with me. I just live two blocks from here. I can, I got a four-wheel drive. So, I can get there. Ok, no other, no other comments from Councilors?”



Councilor Proctor stated, “I don’t. The only thing is that, its not so much us that what we want. We don’t have a choice on what we want. Those people out there tell us what they want and we are trying to abide by that, mayor.”

Mayor Holman stated, “Ok.”

Councilor Proctor stated, “But, I will tell, I will tell that. The mayor stopped me the other day. I was in here turning in some paperwork into the Finance Clerk and he asked if I wanted my time and sat down with him and he discussed some of this stuff with me and I had left him a comment that half of us bare no rope at all. So, if we can meet half way and come to some kind of agreement, it will make Council accomplishment in getting a little of what you’ve asked for as citizens. If we get to half loaf, next time maybe we can get a little bit more of the loaf and keep going by that. If you’d still like to see the meetings at 5:30 in the evenings, I’m sure that we can.”

Mayor Holman stated, “Absolutely.”

Councilor Proctor stated, “Work on that. Inaudible.”

Councilor Lacewell stated, “Not on this agenda.”

(Inaudible)

Councilor Proctor stated, “Probably meeting agenda and packet procedures.”

Mayor Holman stated, “Ok, having no more comments from Councilors, we’ll move on.”

### **MAYORS COMMENTS**

Mayor Holman stated, “No comment from the mayor. I’ve already told you about the Finance Director we’ll be ah doing the monthly reports.”

### **UNFINISHED BUSINESS**

A. Discussion and Possible Action on Adoption of Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting the 2023 Lincoln County Multi- Jurisdictional Hazard Mitigation Plan Update.

Mayor Holman stated, “Are you going to do that?”

The Planning Services Director stated, “Yes.”

Mayor Holman stated, “Ok.”



The Planning Services Director stated, “Mayor, members of Council.”

Councilor Lacewell stated, “Excuse me, I’m sorry. Are we doing this without a motion?”

The City Attorney stated, “Let me discuss that for a second and see which way we, that you all would rather go because there’s been some confusion.”

Mayor Holman stated, “Yeah.”

The City Attorney stated, “In the past, what I’ve always done was allowed the presenter to make the presentation, and then have the motion following that. Then about two months, three months ago we changed that and said ‘well let’s go ahead and have the motions first and then the discussion.’ And so, I think its caused some confusion because we had one way of doing it before and one way of doing it after. It doesn’t. I’ve reviewed Roberts Rules of Orders. Its, its doesn’t matter so far as the fact that, as long as it gets done. And if it’s y’all’s desire that you have the presenter make the presentation before making the motion, you have to understand that by making the motion by making a second, doesn’t mean that you’re in favor of that action. It just means that you’re moving the action on to debate, where you can ask questions and so forth and so on. So, that’s something that, whatever y’all are most comfortable with doing. It works either way. The main purpose of this is to try and so that everybody knows who’s on first, so.”

Councilor Lacewell stated, “At the, at the last.”

Mayor Holman stated, “Alright, this’ll be the same, same thing. I don’t care about the meeting times. I don’t care about this topic either. Whatever you want to do, it’s no problem.”

Councilor Lacewell stated, “Mayor, I have attended three parliamentary procedure meetings and both these gentlemen attended the same training in Santa Fe and the expert on that, ah Senator Daniel (inaudible) DeSoto says that the proper procedure is to make a motion and a second and then start the discussion.”

The City Attorney stated, “And I’m, I’m saying the same thing. The issue is whether or not, Jennet’s presentation, or Joey’s presentation, or whoever’s presentation is part of the discussion because the discussion is usually considered to be the discussion between the Councilors and the Councilors asking the presenters questions, but as long as everybody understands where we are. It’s ah ok. All I’m saying is the presenters making a presentation for you all to make a motion on and if you want a motion made before the presenter presents ah that’s fine too.”

Councilor Lacewell stated, “Well I move that this particular item be deleted off the agenda because I spoke to the state representative and uhm, I know Jennet’s going to agree with this.



This is not supposed to be something for the Councilors to look at and talk about. It was supposed to be an actual, uhm give me the word.”

Councilor Miller stated, “A public hearing.”

Councilor Lacewell stated, “A public hearing.”

The Planning Services Director stated, “It was back in, it was the (inaudible).”

Inaudible, multiple speakers at the same time.

Councilor Lacewell stated, “A different part of this thing. It was supposed to be a Public Hearing according to Wendy. Hey, Wendy Blackwell is up there right now.”

The Planning Services Director stated, “Yup, she is.”

The City Attorney stated, “Ok, Wendy could you explain the situation on the Public Hearing please?”

Wendy Blackwell stated, “Certainly. Can you hear me, ok?”

Mayor Holman stated, “Yes.”

Wendy Blackwell stated, “Yeah, oh excellent. Ok. So, my name is Wendy Blackwell. I work with SWCA environmental consulting and we’re the contractor that was hired by the Village of Ruidoso to update the County wide Hazard Mitigation Plan. So, City of Ruidoso Downs is one of the six communities, ah, five incorporated and then the county, to come forward to adopt the plan. And the federal regulations that do talk about this concept of the public involvement, it requires two times that the community can is supposed to be able to have an opportunity to comment. And I went back and looked at the regulations and specifically what it says is this is forty-four CFR Section 201.6 on local mitigation plans and what it says is. Under the planning process, an open public involvement process is essential to the development of an effective plan in order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process must include an opportunity for the public to comment on the plan during the drafting stage and prior to plan approval. So, the comment during the drafting stage was last summer, when we had a public meeting, but we also had an opportunity to have people look at the plan itself and provide comments. And then these adoption hearings would be the second opportunity for the public to comment. Uhm, but I think, I think I misspoke when I said the term ‘public hearing’ was required. What I just read to you is the federal requirement. And so, the other communities that adopted, at least I spoke with the Village of Ruidoso today, and they confirmed they had the adoption hearing they used the public comment period for the meeting,



the general meeting, as an opportunity for anyone to come forward with concerns. So, I think it's, it's up, Jenet does that, does that make sense is that what, you wanted me to explain?"

The Planning Services Director stated, "Yes."

The City Attorney stated, "And so, in that regard, and I also talked among the Village of Ruidoso today to see how they have done it. They did it exactly like this. And so, I thought it would be most appropriate to allow the public to comment once Jenet makes her presentation, ahh and allow public comment on that and then to. What I'm saying is then to have the motion so the Councilors could have the opportunity to have their discussion and to question Jenet. So, at any rate the public will have the opportunity today, to make the comments on the plan which I believe are all federal regs require."

Councilor Proctor stated, "Mayor?"

Mayor Holman stated, "Yes, sir."

Councilor Proctor stated, "So, Councilor what you, ah, what you're getting at is once the presentation is made by the P and Z Director, then the audience can question the P and Z Director on what they might not understand (inaudible). Now this thing is about this thick."

The City Attorney stated, "I know."

Councilor Miller stated, "It is."

Councilor Proctor stated, "I've got two of them now. Ok, and its about this thick. So, and I haven't completely read through it, but it was drafted by FEMA and put together and, and it's been adopted by, by the, I think its five of the other agencies."

The City Attorney stated, "I think we're the only one that hasn't adopted it."

Councilor Proctor stated, "That's correct and. So, I just wanted to clarify that the audience would be able to ask questions about what Jenet is fixing to speak about."

The City Attorney stated, "Yes sir, and I think by doing that we satisfy the federal requirements and that's what Wendy and I discussed earlier today. And I believe that takes care of the situation. My question is, my concern is, what affect does it have by Ruidoso Downs not adopting because it is a Hazard Mitigation that has to do with Public Safety. I wouldn't want to city to have an issue with not being protected by it."

Wendy Blackwell stated, "So Mayor and Councilors, can I respond to that question?"



Mayor Holman stated, “Yes.”

Wendy Blackwell stated, “Ok, that would be great, thank you. So, this plan is a natural hazard, it’s like a risk reduction. It would really happen now as actions would happen between now and let’s say the next monsoon or the next, wildfire season. Although wildfire season seems to be around these days but uhm. It’s not an emergency operations plan, which would really be response oriented and public safety oriented. And so, this, at least any immediate. We think of mitigation as being before or after, a natural hazard event. So, there’s the consequences of not adopting the Hazard Mitigation Plan, is that the City of Ruidoso Downs would not be eligible for the FEMA Hazard Mitigation grants. However, the city would still be eligible if there was a federal disaster declaration and FEMA public assistance was available to Lincoln County communities. You would still be eligible to get that immediate, ah response funding to repair roadways bridges and other, ah infrastructure. If you don’t adopt the plan, ah I think generally we think that the other five communities will more likely move forward and submit their adoption Resolutions to FEMA. So that FEMA can write an approval letter, ahh it’s a five-year approval cycle. So that whatever date FEMA writes the approval letter that’s when the five-year cycle will start and the month or two months or whenever it is the City of Ruidoso Downs is comfortable adopting, that adoption Resolution would be submitted to FEMA and FEMA can reissue the approval letter and they’ll include City of Ruidoso Downs in the listing of the approved communities. Which would allow you to then apply directly to FEMA to implement some of the actions that are written in the plan, ah. I hope that made sense, uhm, but I do want to clarify that uhm that the plan was written by the planning team. Which was made up of representatives from each of the six communities with subject matter experts. FEMA and the state do a review of it and let us know what we’re missing and then we go back and revise as needed. So, ah, I hope that helps to clarify.”

Mayor Holman stated, “Councilor Proctor, do you have a question?”

Councilor Proctor stated, “Yes mam, this is Councilor Proctor, ah one question. I’d understand you to stipulate if this is not passed, it could possibly affect a grant under FEMA if there was a hazardous condition happening here in our community.”

Wendy Blackwell stated, “So, if it, if it’s response-oriented, this mitigation plan has no impact on your eligibility. So, if there is a presidential disaster declaration and Lincoln County is included in that disaster declaration, it doesn’t matter if you have this mitigation plan or not. The city would still be eligible for public assistance or for individual assistance grants that FEMA offers. There’s a separate set of grants that FEMA offers that they’re called the Hazard Mitigation assistance grants. There are three or four of those. They are briefly described in this Hazard Mitigation plan and some of the grants, many of the actions in the plan, uhm, show those hazard mitigation grants could possibly fund some of the actions. It’s only the hazard mitigation



grants that the city would not be eligible for and those are not related to response. They're related to risk reduction. Is that clarified or does it make sense?"

Councilor Proctor stated, "Yes, mam."

Wendy Blackwell stated, "Ok. Ok, good."

Mayor Holman stated, "Could you, yes councilor."

Councilor Miller stated, "I have a question. I forgot the name."

Councilor Baber stated, "Wendy."

Councilor Miller stated, "Wendy, Wendy, oh heck I wrote it down. Wendy, this is Judy Miller, City Councilor, and I have a few residents and I, myself, don't want to follow some of the guidelines like the other towns have. Like cutting the timber back from their house thirty feet. We don't have a lot of tall, tall trees in Ruidoso Downs like Ruidoso and some of the other's ah. What we worry about is we can't have any trees within thirty feet of our house we won't have any shade. I would not mandate that, especially to our residents because our yards are not that big a lot of us. And if we can't have any trees within thirty feet of our living space, that would hurt a lot of us. I mean we'd have to hire people to cut them and a lot of us can't afford that. So, I just didn't want to follow every recommendation they give us for fire safety. When, you know, we don't have all the tall timber and I was hoping that won't mandate us to have our residents to do that."

Wendy Blackwell stated, "So the actions that are recommended in the plan and Jennet the power point presentation has those action charts for you all to look at. I think Councilor what you're referring to is ah, there are some hazardous fuels reduction recommend actions listed there. They're very high level. They don't specify locations, where this activity would occur. And I think the intent, if there is support from the governing body, to move forward on one or another of these actions, there would have to be planning and ah funding and ah property owners or if it is city property or coordinating with adjacent property owners. A lot of those steps would have to happen first for anything to happen on a particular property. Like for example, you would have to pass an ordinance for anything to be mandatory. (inaudible) Some of this outreach, some of the outreach and education may just be to give people information, if they voluntarily want to follow through. So, so you're not committing to implement any of these actions. These are ah, a list of actions that could occur, should the city decide to move forward with them, at a future date. And we have, there is a specific like disclaimer in the, in the document that explains that. And I think we even have it uhm, let's see I think we have it on one of the slides in the presentation. Ah, implemented as adequate resources are available and that as community



leadership deems appropriate. There is no obligation to implement any of the actions. So that wording is specifically in the plan.”

Councilor Miller stated, “Thank you.”

Wendy Blackwell stated, “Ok, good. I’m glad that helped.”

Councilor Lacewell stated, “Mayor, I have a question.”

Mayor Holman stated, “Yes councilor.”

Councilor Lacewell stated, “It’s for Jennet. How long is this presentation?”

The Planning Services Director stated, “Uhm well its, its also in the packet. It’s just a few slides, but I think Wendy already took care of it for me and I think the, where you’re talking about the trees, there is a little caption description for the City of Ruidoso Downs I could read for you guy’s if you would like. Ok, so it’s the (inaudible) of the presentation. (inaudible) of the whole plan. Which is a little some slides of the plan.”

Councilor Miller stated, “Page six.”

Councilor Proctor stated, “Maybe we could listen to the presentation and then input from the public body. Then the Council could have comments on all of it together rather than.”

Mayor Holman stated, “I agree, I think that’d be a good procedure. It’d take care of it.”

The Planning Services Director stated, “Ok, so like Wendy said, it’s a natural Hazard Mitigation overview of it just like, uh, things we can do to prevent anything any natural hazards that would happen in our city. And like she said to uhm, move any dead trees. I did see that, and let me read it to you, exactly how it says. It says, create a thinned buzzer, buffer zone in the hazardous fuel’s reduction bordering the city limits. Examples include the Turkey Canyon area and the Wood Lane area. So, it’s not.”

Councilor Miller stated, “I read that one, it’s the city limits.”

The Planning Services Director stated, “Yeah, it’s not targeting people in their homes. It does, it does say you know if you have that tree cut them down and all that stuff, but I think also Wendy was trying to say that all those grants we can apply. If we do adopt this, we can use that money to take care of that ourself and not have uhm, the citizens pay out of there pocket. And correct me if I’m wrong, we, like what she was trying to say is, if we do have this. We can’t, we can’t



apply and it were to happen to our city. We can apply after but we can't apply for grants to mitigate. We can, you know we can stop from happening."

Councilor Miller stated, "In the event, yeah."

The Planning Services Director stated, "Yeah. So that's what she was trying to say more so. And also, we uhm, (inaudible)."

Mayor Holman stated, "Before, Jenet before you. I'm just remembering at one time. Some of the independent, uhm companies that insure, have some requirements. I don't know it may depend on which insurance company you have. At one time some of them had requirements for trees not to be, you know, right close to the house."

The Planning Services Director stated, "Yes, I do know that, uhm, my mom's house. They ask for a picture of every tree."

Mayor Holman stated, "Yeah."

The Planning Services Director stated, "And how far it is and then they tell her which trees she has to cut down all over for the insurance."

Mayor Holman stated, "Ok."

The Planning Services Director stated, "So basically, I think Wendy answered all of the questions and I wasn't part of the planning, Roy was. I just came at the end. When Wendy was just like hey if I send it can you put it on the agenda. So that's when I came in, but, yeah. I think I was at one of the meetings at that's it. I didn't have a lot of input because I wasn't apart of it at all."

Mayor Holman stated, "Ok, so, having said that uhm, what you're suggesting, sounded good at this time, we could have the public have questions it sounds, sounds like a good procedure to me, unless."

The City Attorney stated, "My words were, Mr. Mayor is that not only do we have Jenet, you obviously cam in at the end. Since Wendy is available, ah she can help with some of the answers to the questions."

Mayor Holman stated, "That's what I'm thinking. Wendy, did you hear that?"

Wendy Blackwell stated, "Yes, sir. Yes, I'm available."



Mayor Holman stated, “Wendy, ok good. Ok.”

The City Attorney stated, “Jennet, go ahead and.”

Mayor Holman stated, “Do we have any other residents of the City of Ruidoso Downs want to ask questions of this topic? Yes, sir, Mr. Williams.”

Wayne Williams stated, “I have a little (inaudible) about the uh, post activity. I think it was after the fact. Ah, Jody’s dad went out to the forest and dug up a whole bunch of trees and her house is surrounded by trees. It happened to, happened to happen after the fact. I I’d hate for somebody to come out and tell me that I’m not allowed to have something in my yard that’s been there for ten years. You know? So, I have a little, little (inaudible). I don’t give by way the authority of my property and if that’s what it means. I haven’t read it so I don’t know. If that’s what it means, I don’t, I don’t think it’s such a good idea.”

Councilor Baber stated, “Is it online for everybody can read?”

Councilor Lacewell stated, “Yes, if they can get into the agenda.”

The City Attorney stated, “Wendy, did you hear Mr. Williams comment, comments?”

Wendy Blackwell stated, “Yes, I did and ah one thing to keep in mind is that with those FEMA hazard mitigation grants, uhm. And Jennet was referring to, to be able to apply for those. That’s one of the reasons you would want to have the approved mitigation plan. That funding can only be used on private property if it’s a voluntary participation. There, there would not be, you know, again as we were talking a few minutes ago, there would have to be many steps that would happen. As far as, after this plan was adopted, the Council would really have to decide they wanted to move forward on one or two or none of these actions. But if they chose to move forward with this hazardous fuel’s reduction, on private property, they would really have to work only with those community members that are voluntarily participating.”

Mayor Holman stated, “Yes, Mr. Williams.”

Wayne Williams stated, “Ahh, after we had our big floods, ahh a few years back, water come up and you know it didn’t even get in my, near our house but it come up on the roads.”

Mayor Holman stated, “Yeah.”

Wayne Williams stated, “And, ah, on the two properties on each side of our house and we tried. We tried going solar and we found out that, ah, FEMA had put us in the flood plain and, ah. The



people that we were going to sell them to, it cost five hundred dollars a month extra just for flood insurance and the bank wouldn't finance the house. (Inaudible) ourselves, but it, it, FEMA, I don't know. Less government is better government. (Inaudible)."

Councilor Proctor stated, "There is somebody back over there."

Mayor Holman stated, "Yes, sir."

Link Lacewell stated, "Ah, I agree and I'd like to try and coattail off (inaudible)."

The City Attorney stated, "Could I get you to state your name for the record, please?"

Link Lacewell stated, "My name is Link Lacewell (inaudible) Ruidoso Downs. Uhm, just because Washington ain't dangling more money in front of the city like ours doesn't mean that should be motivation for doing things that don't seem right or we don't understand. It appears to me, that not everybody up there understands what is being proposed exactly. And uhm, if, if, you're having discussions about (inaudible) or is it online or simply haven't read it. It just comes down to what it appears to be is, we're not sure what's in it, and it. I'm not (inaudible) to be discussed today in a public meeting to approve a six-hundred-page document. And I'm not sure the citizens of the county were either but it appears to me (inaudible). Excuse me, just a second, it appears to me what, what is being proposed is (inaudible) where the "power lies" proposals that I've been familiar with in other parts of Alto (inaudible). Requirements and reprimands. My lawn grass grows a six-inch double every year and keep it mowed that way. So that all yours are kept to eight-foot or six-foot to ground for the first branches and keep it there, to thin all your unwanted trees, which is kind of arbitrary, and then take down all of your dead and down stuff in addition to that. And I probably missed a couple of things, but if, if you're going to vote on that, you need to know what's in it. Maybe this lady on the screen, or this nice lady in front of me can explain that, but right now it's not being discussed. It's not being presented to the community."

Wayne Williams stated, "I mean Ronald Regan said it best, when he said the most scariest words in the world are what will the government do, we're here to help you."

Mayor Holman stated, "Yeah, I remember that. I remember that statement by him and Nancy Palocie also said 'let's pass this, we'll read it later.'"

Inaudible.

Mayor Holman stated, "Councilor Lacewell."

A gentleman stated, "There is some mention about (inaudible) are the city limits. That's all being on private property, correct? Or do we know? (inaudible) I don't want to be even get my foot in



the water about getting a green light or (inaudible) we're going to take all the fifty-foot bumpers in the half-mile (inaudible) you got with in the city limits. So, that's my input. (inaudible)."

Mayor Holman stated, "Uhm, Bonnie."

Bonnie Richardson stated, "Uhm, well I'm confused is this or is this not supposed to be a public hearing?"

Councilor Miller stated, "It's supposed to."

Bonnie Richardson stated, "Because to me, it should be a public hearing. Where we have an input and then a decision is made and nothing was advertised. Uhm, and when it is advertised, we have a nice expensive sign outside, and we have some water bills that are both, both of them are free. And then whatever else, the city decides can be, advertising for this."

Councilor Lacewell stated, "Mr. Bowen. I think, Mr. Bowen had a question."

Mayor Holman stated, "Councilor, yeah."

Murry Bowen, "I was just going to reiterate what Mr. Williams and Mr. Lacewell said. I want to stand shoulder to shoulder with them. I don't want you all voting on anything unless y'all know what y'all are doing. (inaudible)."

Mayor Holman stated, "Councilor."

Councilor Baber stated, "I just wanted to say I called a guy that had a lot to do, right with this. And he wants to see it and I'll be glad to take it over and have him look at it. I'm like you, I don't know, I'm going to go ask somebody."

A gentleman stated, "Well with the government its going to be a long time for they get to it."

Councilor Baber stated, "Well, yeah, with FEMA, you know it is."

A gentleman stated, Go over (inaudible).

Mayor Holman stated, "Yes, mam."

Wendy Back stated, "I'm Wendy Back, and I'm going to suggest we have a committee formed to look at this data and to report back to the City Council. That (inaudible) the citizens (inaudible) of that stuff, but surely, we could form a small committee to look into it a little further. Maybe some people on the City Council should be on that committee."



Mayor Holman stated, “Well I think we ought to have one Councilor that has checked into it a little bit. The Council might want to do that.”

A lady stated, “There’s no rush is there? No push like we have to do it by this deadline?”

Mayor Holman stated, “Wendy, is there a time limit on this?”

Wendy Blackwell stated, “Ah, thank you. I’m not sure if its Councilor or Mayor. So, I’m going to say both. Uhm, the, the only time parameter really is that you. The city wouldn’t be eligible to apply for the mitigation grant monies, until they, till you have the approved plan. The other communities in this county will move forward with their adoptions, uhm. If there is a wildfire, this, coming up this season, any suppression costs or emergency protective measures that may be coming through a fire management assistance grant. Which is not your eligibility is not going to be hindered if you don’t have this mitigation plan, or again. If there is some flood issues, ah, with monsoon season or even post fire flooding. Again, the response is not going to, your eligibility for response funding for FEMA won’t be affected if you hold off on adopting the mitigation plan. Uhm, but I do want to say we had worked in the Public Comment period last summer. We had a community meeting at the, uhm Ruidoso Convention Center and then we posted the plan itself with a little introductory video. So, people, if they wanted to go to the, ah meeting in person at the convention center, they could view the video that gave them maybe a ten minute over view of the plan. And we had a survey asking specific questions or if they just wanted to give general feedback there was a place to do that. Uhm, and so that was really the, I guess you could say the focused effort on getting the community’s input and then the adoption hearings. And again, here we are hearing concerns from the communities. So, you know, of course you could move forward and hold off. I’m happy to give a little overview if you do decide you want to have a committee look through the plan. I can certainly give you kind of a high-level overview, if that would be helpful.”

Mayor Holman stated, “Committees are fine but as a general rule you want to get something really messed up, put it in a committee. And I’m thinking of when ah the license plates at one time were done by a committee there in Santa Fe. And that was the ugliest license plate. If you can imagine. It had the hot air balloon on it, about a dozen other things and uhm, because everyone on the committee, uhm wanted to contribute. And, that license plate was a disaster. What we could do is we could pull the Councilors right now to see whether you want to go with a committee or whether you all want to pursue it. Councilor Lacewell.”

Councilor Lacewell stated, “I like the idea of a committee with Councilor Baber at the head.”

Councilor Baber stated, “That’s fine with me, I don’t. However, I could help, I will.”



Councilor Miller stated, “Mayor?”

Mayor Holman stated, “Yes, mam.”

Councilor Miller stated, “I agree, because we’re talking about personal property here and I think they need to have a say so in that.”

Councilor Baber stated, “And there also, I think, I think we need to find a place bigger than this if we’re going to put a public notice about if these people need to come to this public hearing so that they could hear the understanding is whoever can give the presentation. Which, I think you’ve already been nominated. (inaudible) I think we can get all this done by the next council meeting or would we have to go into March with it? To that meeting, I, I don’t know. (inaudible)”

Mayor Holman stated, “Yes sir, Mayor.”

Gary Williams stated, “I wanted to ask, the ah discussion about having the uhm, public forum for citizens that she was talking about last summer, about getting to all these other communities that they’ve been given a presentation. And obviously, I don’t think our community was aware of it or knew anything about it or participated about it obviously not in it because they were not aware. That’s fine about what happened then but we’re looking at right now and ah I don’t stand the fact that it’s important for our governing body here to know, we’re very conscious about our property and our property rights in this community more than I think in most other communities that are around us. And the committee is fine and I don’t think we should worry about the time frame ahh what it takes to get this approved. What brought back forward to Council to approve. I think that if it goes in to March or it goes into April or whenever it is as long as it’s our community, and as members and as citizens are educated enough to understand it. And Council is aware of their responsibilities. Let’s just work it, let’s just work it and see what happens. I think that ah that’s the right direction and I appreciate the conversation that you’re having between the executive and legislative. It shows that it can happen if you have that kind of conversation, thank you.”

Mayor Holman stated, “So we’re looking, I guess a committee. Ok, suggestion, what if each councilor selects, ah, two people from the community. Two, four, six, eight, that would be eight people.”

Councilor Proctor stated, “Mayor I’d like to, I’d like to fill the hat up by the public that is here right now and ask to see if there is anyone out there that would like to be set on that committee.”



Mayor Holman stated, “Well, I’m glad that you brought that up because, ah it’s easy to say we’ll just have a committee and anything we do, it’s hard to get people to participate. They feel like they’re too busy or ah so.”

Gary Williams stated, “Alright, alright, I don’t want to get involved with this administration, but I will volunteer to be a member of this committee.”

Councilor Baber, “Ok, thank you I would have hollered at you anyway.”

(inaudible)

Mayor Holman stated, “Ok do I see another hand?”

Nicholas Malone stated, “Yes, mayor I volunteer to be on the committee as well because we manage private property, uhm a large property on the end of town, ah. And I also had a question maybe for the, the, Wendy, uhm. I done some work in the past, before I was an officer, ah in the private sector, I did large landscaping with a construction company and we did some work for a city government. We were not allowed to touch, and it was on based off a grant. We were not allowed to touch private property. Uhm, unless if you were doing mowing along the highway and, and, uhm a (inaudible) we were not allowed to touch any private property or to trim any trees or cut any trees on the side of the highway once it got passed a certain point because that was private property, uhm. If this grant, ah, if we have to if we were creating a barrier, a fire barrier around the city limits uhm could you skip a private property that doesn’t want to be involved in the program per the grant and then continue on the other side of that private property?”

Mayor Holman stated, “Wendy, did you hear that?”

Wendy Blackwell stated, “Yes, sir, uhm and the answer really is the FEMA Mitigation grants will only allow work on private property if the owner voluntarily participates. So, if, if the Council decides to move forward uhm with uhm even if it’s your regular maintenance, uhm, ah. The grants, the FEMA grants are used for new work and not regular maintenance. So, if there is thinning that is going to be done and the program that you all come up with does involve private property, if you want to use the FEMA grant, you would have to have voluntary participation letters from every property, private property owner that you were going to do any work on their land. So that’s one of the things we see in other, you know. There’s been several communities in New Mexico that have taken advantage of this FEMA Mitigation money to do work. Not just on municipal or county property, also on private property. And they have had to each provide a letter from that property owner that says we are voluntarily participating.”

Mayor Holman stated, “Councilor Lacewell.”



Wendy Blackwell stated, “Does that answer the question?”

Nicholas Malone stated, “Yes.”

Wendy Blackwell stated, “Ok.”

Councilor Lacewell stated, “Wendy, this is Councilor Lacewell. On the southside of our city, the city limit butts up against the forest service. Could the forest service, have the buffer, rather than the private citizens on the other side of the city limit line.”

Wendy Blackwell stated, “Yes, depending on the kind of the ecological factors because in some instances the slope, the aspect, you know the density, the type of vegetation. And this is what I was saying usually, you’ll have to, you would really have the professional ah, the foresters, go out onto the property. And you know, work with the forest service and maybe come up with a program, where it would be. It has to really be a site-specific prescription. I can’t say that fast, that’s a tongue twister. So, it may work, that the forest service would be willing to and I think. You know, I’m trying to look at your list. The list of recommended actions and, in some cases, we did write like, ‘in cooperation with US Forest Service.’ That might be one of the things that you want to look at as a committee could look at the actions. And, you know, it would have to be. In order for FEMA to adopt. For FEMA to agree and meet the federal requirements, there does have to be one action that’s related to structures and infrastructure protection for each hazard type. So, we would have to keep one action in there that is related to wildfire mitigation. In regards to protecting structures or infrastructure, but a cooperative effort between the city and the US Fire Service that, that would still, uhm. That would still work. However, if Ruidoso, City of Ruidoso Downs is taken completely out of the responsible entities and it only say’s US Forest Service, that wouldn’t really be counted as an action that it’s not within the city’s ability to make sure that it would get implemented. I’m not sure if I explained. I might’ve made that more complicated than it needed to be. Does that make sense?”

Councilor Lacewell stated, “It does. It makes sense.”

Wendy Blackwell stated, “Thank you.”

Mayor Holman stated, “So, Councilor Lacewell, you have a city and a county, and then you have Mescalero Apache reservation passed that, correct?”

Councilor Lacewell stated, “That’s true.”

Mayor Holman stated, “Something to think about.”

Councilor Lacewell stated, “Yeah, a unique spot”



Mayor Holman stated, “Ok, so where are we on this. We have a committee with a chairperson.”

Councilor Baber stated, “Yeah, and two people.”

Mayor Holman stated, “And two people.”

Councilor Baber stated, “Anybody else want on it?”

(inaudible)

Councilor Lacewell stated, “Wait a minute now, Proctor are you taking those two just because they’re here?”

Councilor Proctor stated, “Pardon?”

Councilor Lacewell stated, “If each one of us Councilors have to come up with two, are you taking those two?”

Councilor Proctor stated, “I think they all belong to Councilors.”

Councilor Lacewell stated, “Those are Baber’s count, ok good.”

Councilor Proctor stated, “Because they volunteered.”

Councilor Baber stated, “So, Malone, Williams, and are you going to go?”

Councilor Lacewell stated, “Williams and Malone. Williams and Malone.”

Mayor Holman stated, “Officer Malone.”

Councilor Lacewell stated, “And Baber, I mean, I’m sorry. And Bowen, are you saying you’ll be on the committee as well? Ok, awesome thank you, I’ll take him.”

Link Lacewell stated, “(inaudible) to an eight-person committee or a nine-person.”

Mayor Holman stated, “Yeah, and that was just a suggestion. When I thought it was just going to be the Councilors involved.”

Councilor Baber stated, “That’s three, that’s a good start.”

Councilor Lacewell stated, “It is a good start.”



Mayor Holman stated, "The next three will be a lot harder."

Councilor Baber stated, "Do we got to do this some way?"

Mayor Holman stated, "I think, however you want to do it. You're the chair."

Councilor Baber stated, "I know but do we got to make a motion?"

The City Clerk stated, "Yes, you do."

Mayor Holman stated, "We do."

Councilor Lacewell stated, "And it's not on the agenda, so we have to do it next month."

The City Attorney stated, "So, the question that I would have, I believe the question is. And Wendy, if you know. I don't know at the top of my head, whether or not that committee because it's going to be discussing public business, is bound by the Open Meetings Act and has to give public notice of its meetings. So, the public can attend those committee meetings. I would believe that would be the case. (inaudible) So, Councilor Baber if you could get with the City Clerk to make sure the proper notice goes out and I would just, suggesting that the meetings take place here. Unless you all can arrange for the Senior Citizen Center. Which is the other place that would be (inaudible)."

Councilor Miller stated, "Mayor?"

Mayor Holman stated, "Yes, Councilor."

Councilor Miller stated, "I like Bonnie's idea of having that meeting posted so all the residents can see it in Ruidoso Downs and know about it. Maybe on the water bills and here at City Hall for sure. So that's the only way they're going to (inaudible). If we don't post it. So, you're right John. Everybody needs to be involved in this."

Councilor Proctor stated, "So, what we're looking at is if we don't have anymore people show up out of the twenty-eight hundred that we have in our community. Then for the few that we have here that have shown up for just about every meeting. These citizens here, will decide for the community. Therefore, the other twenty-seven hundred and eighty, are going to have to abide with what this group right here say. And that, that's just it. If you want to get involved, you'd got to be able to come to the meetings. If you don't come to the meetings, you can't sit back and say, 'oh, heck no, that's not the way we wanted it.'"



The City Attorney stated, “And that committee can have a discussion, but it’s recommendation has got to come back to the City Council, because the City Council is the only one who can take action.”

Councilor Miller stated, “Mayor?”

Mayor Holman stated, “Yes, Councilor.”

Councilor Miller stated, “Also, we can use the Senior Center, if you have a bunch of people like we’ve had many times. Have it at the Senior Center, so they can all come in. There’s a lot of property owners in this little town (inaudible).”

Pam Williams stated, “(inaudible) at a time that all the people can show (inaudible).”

Councilor Miller stated, “Understand what’s happening.”

Councilor Proctor stated, “I would same maybe (inaudible).”

Councilor Baber stated, “Kind of like how we had the forum.”

Councilor Proctor stated, “Something like that would probably have to happen on a Saturday afternoon. You know. Saturday afternoon for a couple of hours. I’m sure that we could get the Senior Citizen Center. I know a person that can let us in and out. So, and we’ve got a lot more room and that would be the final stage. I would recommend that would be the last meeting that we would have and who ever showed up, that would be it to give a recommendation to the committee. Then the committee could come back here and.”

Mayor Holman stated, “And then you guys would vote on it, yeah.”

The City Attorney stated, “And may I also make the suggestion that you therefore postpone action on this particular item and set it back for the second meeting in, what are we in?”

Councilor Miller stated, “March.”

The City Attorney stated, “Second meeting in March. First meeting in March. Which would.”

(inaudible)

Councilor Lacewell stated, “Well yeah, we have one in March and he’s suggesting that second meeting.”



The City Attorney stated, “You got the eleventh and you got the twenty-fifth. So, probably the twenty-fifth, gives you a month.”

Councilor Miller stated, (inaudible) I would say so.”

The City Attorney stated, “A month and a half. So, I ask that it will be postponed till and it be brought back to council and that.”

Councilor Proctor stated, “The twenty-fifth.”

The City Attorney stated, “The meeting of the committee be advertised and Public Input need, ok. And I also want to bare in mind that also, that I think, when it comes back that the Public should again have the opportunity to have input for the final adoption.”

Councilor Miller stated, “I like that.”

The City Attorney stated, “One of the things that I understood many to say, and I just want to say this while she’s still on, is that I understood her say that any action that is taken under the terms of the Mitigation Plan, should it affect private property, that the Council would have to pass an Ordinance to effectuate that as well. So, we have double protection, is that correct Wendy?”

Wendy Blackwell stated, “Yes, it’s correct, that none of these actions could move forward with out the council deeming them to move forward with whatever criteria and steps you’d like to see.”

The City Attorney stated, “So that the mere passage of this also would require further action by the Council specifically to enable it.”

Wendy Blackwell stated, “Correct.”

Councilor Miller stated, “Wendy, also, along with that, whatever if we pass this, they still have to get the public property signed by the owner. If they do anything to their property?”

Councilor Baber stated, “Or make an ordinance.”

Councilor Miller stated, “I think they still have to get the property owners permission.”

Wendy Blackwell stated, “If you’re going to pass an ordinance, then as, however you choose to write the ordinance if it’s going to be for new development then that ordinance would be the requirement, but. Regardless if there is going to be an ordinance requiring it, the FEMA



Mitigation grant money can't be used unless there's a voluntary participation letter from each individual property owner."

Councilor Baber stated, "From the private sector."

Wendy Blackwell stated, "Yes."

Councilor Miller stated, "So that still protects them."

Wendy Blackwell stated, "Yes, that is correct even if you have an ordinance, yes."

Councilor Miller stated, "Ok, that's good."

Councilor Lacewell stated, "Mayor, would you like a motion?"

Mayor Holman stated, "I was hoping that one of you. I saw some writing any of you get to where you want to make a motion? You, ok."

Councilor Lacewell moved to approve postpone Discussion and Possible Action on Adoption of Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting the 2023 Lincoln County Multi- Jurisdictional Hazard Mitigation Plan Update to March 25, 2024. Councilor Proctor seconded.

Councilor Baber stated, "Question?"

Councilor Lacewell stated, "Is there a question?"

Gary Williams stated, "Mr. Mayor?"

Mayor Holman stated, "Yes, mayor

Gary Williams stated, "(inaudible) does the Council have to approve the creation of this committee? And if so, do you need to label a title of the committee and the number of participants that are asked to be on the committee? Is that something that needs to be considered? We can't just say, at the top of your heads say, 'have a committee' and then we move on."

Councilor Lacewell stated, "Mayor, I also know this isn't even on the agenda. So, I would assume we would have to do it at the next meeting."



Gary Williams stated, “Yeah, it’s just something we need to bring up. We just at the top of our head, we just can’t, hey we have got to have a committee. You’re on it. You’re on it. You’re on it. There has to be a process that Council needs to make the decision.”

Councilor Baber stated, “So we got to put that on the agenda for the next meeting?”

Councilor Lacewell stated, “For the next meeting.”

Councilor Proctor stated, “So that cuts us back two weeks instead of a month and a half. We’ve got a month to decide on it.”

Councilor Baber stated, “So we come back on February (inaudible).”

Councilor Lacewell stated, “There’s no rush.”

Councilor Miller stated, “There’s no rush, I don’t think.”

(inaudible)

The City Attorney stated, “March twenty five.”

Councilor Lacewell stated, “March twenty five, is a target. Come back and do this again, but.”

The City Attorney stated, “It’ll be on the agenda for the committee and hopefully by then you all will have a pretty good list of names to the mayor for his approval of the appointment to the committee (inaudible). And essentially, the name of the Resolution, HMP.”

Councilor Baber stated, “Haz mat crew.”

A lady stated, “Hazard Mitigation Plan Committee”

The City Attorney stated, “Perfect.”

Mayor Holman stated, “Ok, thanks John.”

Councilor Lacewell stated, “Did someone Second my motion?”

Councilor Proctor stated, “I did.”

(inaudible)



Upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman stated, “Wendy, thank you very much.”

Wendy Blackwell stated, “Thank you folks. I look forward to helping you to the next step of the process, however I can.”

Councilor Miller stated, “Thank you.”

Councilor Baber stated, “So we’re going to wait till the twenty-fifth, right,”

Councilor Lacewell stated, “No you are going to start. At the next City Council meeting, it’ll be on the agenda to appoint the committee and then you can get going.”

Councilor Baber stated, “Ok.”

Mayor Holman stated, “Ok. As chairperson, you’re ok with that then?”

Councilor Baber stated, “Yes, sir.”

### **NEW BUSINESS**

Mayor Holman stated, “It’s been a long day for me. I was up at three o’clock today. I was up at Las Cruces, being hammered on in a bunch of places and I’m tired. So, I ask, Councilor Miller if she would help me out with New Business and the person who is going to give you the information is here. So, would you go with it, please?”

Councilor Miller stated, “Yes,”

**A. Discussion and Possible Action on approval of Personnel Recommendation to promote Officer Nicholas Malone for the rank of Patrol Sergeant for the Police Department.**

Councilor Miller stated, “Take it over D.C.”

The Deputy Chief stated, “Ok. Good afternoon, mayor and members of council. I come before you today to recommend that you approve the promotion of Officer Nicholas Malone to the position of Sergeant Nicholas Malone. Just some history, some background in promoting police officers in this area, they usually go by years of service and then just to promote them. I don’t believe in that philosophy. I actually test the officers to ensure they have the ability to lead and supervise. Therefore, during the since, the budget negotiations last year. We were approved for a Patrol Sergeant position. We’ve been working to test the eligible officers. There were two that actually put in for the position, Officer Malone, who sits behind me and Officer Karl Becker,



who is out on patrol right now. Both were, are well qualified. Karl Becker has eighteen to twenty years on. Officer Malone has a total of five years on, but again, I go back to testing. So, I actually, we actually gave them supervisor test. They had to pass that. Once, they pass that portion of the testing they go onto an oral interview section of the test, which we grade on a one-to-five-point schedule for each question that we ask them. And they had to come up with certain points. And then the last item that we did was we gave them a tactical scenario. A realistic tactical scenario for this area, where our supervisor would have to make extremely tough decisions, usually life or death decisions. We pretty much put the screws to them pretty hard to make sure that they could handle it. They actually. Both candidates did very well and they both passed. I wish I could promote two Sergeants but Officer Malone, who sits behind me actually edged out Officer Becker, he. They were pretty even through the written test and the interviews, but the tactical Officer Malone, shined a bit more than Officer Becker. So, Chief Commander and I and actually, Heath here, who sat on the interviews as a impartial grader. We actually discussed it. And we felt that Officer Malone deserved to be promoted to the position of Sergeant. That's what we ask that you guys vote on today."

Councilor Proctor moved to approve the promotion of Officer Nicholas Malone for the rank of Patrol Sergeant. Councilor Lacewell seconded and upon a roll call vote of all voting "aye" the motion passed.

Councilor Lacewell stated, "Congratulations."

Councilor Miller stated, "Congratulations."

The Deputy Chief stated, "Also as a request, I did speak to the mayor before the meeting today. After you all get through New Business and Adjourn the meeting, I'd like to do a little bit of promotion ceremony for Officer Malone. His family is here to do a promotion ceremony. I would like any of the Council members and the mayor that would wish to stand by out here for a congratulatory presentation. And then some photograph, and picture taking, if possible, so."

Councilor Proctor stated, "Absolutely."

The Deputy Chief stated, "I ask, I ask you that and if you wish to stay, please do."

Mayor Holman stated, "I remembered and then I forgot again as you were, just before you started talking. So, I apologize for not remembering, you had requested that. Ok, Councilors."

Councilor Miller stated, "Congratulations."

**B. Discussion and Possible Action on Appointment of Maria Gutierrez for the Parks and Beautification Committee Vacancy.**



Councilor Miller stated, “I don’t know that Maria is here.”

Councilor Lacewell stated, “Mayor.”

Mayor Holman stated, “Councilor.”

Councilor Lacewell stated, “I’d like to make a comment. Uhm, so this is for the Parks and Beautification Committee, and there is no such committee. On September eleventh, last year, the City Attorney presented an Agenda Memorandum to update the Beautification by-laws because they hadn’t been updated since ten of 2015, but a Councilor, who is not here anymore, had the matter postponed. So then on September twenty-fifth, we met again and the City Attorney presented new by-laws with this new name and the mayor and those other two councilors voted against it. So, we don’t have this committee and I’d like to move that we amend this motion to appoint these people to the existing committee since it’s still here.”

Mayor Holman stated, “I don’t recall it.”

Councilor Miller stated, “Yeah, it happened. The by-laws, changed the by-laws. And two of the other Councilors and you voted against it. I’ve got a solution to this.”

Mayor Holman stated, “Ok, let’s hear it.”

Councilor Miller stated, “At the next Beautification, Keep Ruidoso Downs Beautiful meeting on the twenty first, I would like to have our committee vote on the change of name. Joey Jarvis wanted us to be together as the Parks and Beautification Committee so we can help him at the Parks along with our Beautification and that is the Parks really. And it is the events for our community. Which I really appreciate naming some people. I was short two people on that committee and appreciate it and all the help we can get on these events for the city. Thus, beautifying our city. I really appreciate the help. I need it, and so. Our next meeting on the twenty first of February, I put that first on the agenda, but we changed the name to Parks and Beautification, but as far as I am concerned, we will still be under Keep America Beautiful guidelines and New Mexico Clean and Beautiful, so.”

Councilor Baber stated, “So the guy that’s taking care of the Parks right now. Is he going to help you all out?”

Councilor Miller stated, “I am going to ask Joey if he will be on the advisory committee and he’s over all of that.”

Councilor Baber stated, “Because isn’t there two people that’s in charge of the Park?”



Councilor Miller stated, “Yes, they are but if Joey’s on it, He tells them what to do. You know, so that will help us to have an advisory committee.”

Councilor Proctor stated, “Twenty-sixth.”

Councilor Miller stated, “Twenty-seventh.”

Mayor Holman stated, “No, he’s the Director.”

Councilor Baber stated, “No, for the people that work at the Park.”

Councilor Miller stated, “Well, no I’m talking about our committee. It’s the third Wednesday of every month.”

Mayor Holman stated, “Oh, Ronnie Randolph is next in line.”

Councilor Miller stated, “We need the help so I want to (inaudible) appointed by our committee and we can change it on the name and that will change it on the by-laws.”

Councilor Baber stated, “So that’s going to be on the agenda for the.”

Councilor Miller stated, “No, it might after we change it. After we change our by-laws in the committee, then it will go to the City Council, right.”

The City Attorney stated, “So, let me ask you a question Judy. As I recall, we sent that, those by-laws, back to you and Bonnie. Bonnie said she hadn’t seen those. And they were then, they were then brought back to Council for action and no action was taken.”

Councilor Miller stated, “No.”

Councilor Lacewell stated, “Well on September twenty-fifth it was brought back, we voted and those two councilors who are not here anymore and the mayor voted no.”

Councilor Miller stated, “Yeah.”

The City Attorney stated, “So it wasn’t passed?”

Councilor Miller stated, “It was not passed.”



The City Attorney stated, “So, may I suggest this. May I suggest, because technically Jody is correct, this committee doesn’t exist. Although I think we know it’s meant to be but if we could go ahead and amend the motion to be for only the Beautification Committee. And then, on the next agenda, bring the by-laws back for passing and then it would automatically amend back into the Beautification Committee would be amended in to the Parks and Beautification Committee.”

Councilor Lacewell stated, “Perfect. So, I move that we amend this to say that we have Discussion and Possible Action on Appointment of Maria Gutierrez for the Beautification Committee.”

Councilor Miller stated, “Ok, that’s not called the Beautification. It’s Keep Ruidoso Downs Beautiful.”

Mayor Holman stated, “Right.”

Councilor Miller stated, “Is what the name of the committee is right.”

The City Attorney stated, “So, let’s amend it to what the current committee’s name is.”

Councilor Miller stated, “Ok.”

The City Attorney stated, “And then bring the by-laws back at the next meeting so that it will.”

Councilor Lacewell stated, “Keep Ruidoso Downs Beautiful?”

Councilor Miller stated, “Keep, Ruidoso Downs, Beautiful.”

Mayor Holman stated, “Yeah.”

Councilor Miller stated, “KRDB.”

Councilor Lacewell stated, “Ok, alright.”

Councilor Miller stated, “It’s going to be changed to Parks/Beautification Committee. I’m sorry but I’ll take in front of our committee on the twenty-first at four o’clock (inaudible) Yes.”

The City Attorney stated, “With that amendment.”

Councilor Miller stated, “With that amendment.”



Councilor Lacewell stated, “I’ll try again. I move that we amend the title of this committee on this memorandum to say, ‘Discussion and possible action on Appointment of Maria Gutierrez for Keep Ruidoso Downs Beautiful Committee. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman stated, “Ok, you’re doing good. Keep going.”

Councilor Miller stated, “Well, thank you.”

**C. Discussion and Possible Action on Appointment of Lori Plant for the Parks and Beautification Committee Vacancy.**

Councilor Miller stated, “This is almost identical to the last one. Discussion and Possible Action on Appointment of Lori Plant for the Parks and well for KAB Committee, and then you can.”

Councilor Proctor stated, “I’ll make that motion.”

The City Clerk stated, “As amended?”

Councilor Proctor stated, “As amended.” Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Miller stated, “Thank you all.”

**D. Discussion and Possible Action on Adoption of Resolution 2024-05, A Resolution Establishing the City of Ruidoso Downs Governing Body Meeting Agenda/Package Procedures.**

Councilor Miller stated, “That’s what we asked for at the last meeting. It’s on the agenda. Who wants to start?”

Councilor Lacewell stated, “You want to make a motion?”

The City Attorney stated, “Ally, would you, because you’re the one that’s directly effected by this, would you explain what this does to the council.”

The City Clerk stated, “The governing body had requested to place the agendas earlier. To put the agendas out earlier than Friday. So, this will put the agendas out on Wednesday instead of Friday.”

Councilor Procter stated, “I am willing to accept that Resolution.”



Councilor Lacewell stated, “No, I, you want to move that we’re going to discuss and possibly take action.”

Councilor Procter stated, “Ok, discuss and possibly take action on.” Councilor Baber seconded.

Mayor Holman stated, “Ok, discussion.”

Councilor Miller stated, “Any discussion?”

Mayor Holman stated, “Discussion, discussion.”

Councilor Lacewell stated, “Yeah, I would like to discuss this. So, the way this is written, the only thing that’s addressed in here is the fact that the Council members and the directors and everybody have to have the information to the Clerk no later than 10:00 a.m. on Monday, but it doesn’t say anything about us getting it back on Wednesday.”

The City Clerk stated, “That’s the way it works. It only takes about a day and a half to put it out. So, instead of them having the information to us on a Wednesday, now they’re going to have it to us on Monday. So, the Agenda Packets will be put out on Wednesday.”

The City Attorney stated, “So, let me ask you this. Is there any problem adding language to the Resolution saying the packets will be delivered to Council no later than 5:00 p.m., Wednesday prior to the Monday meeting?”

The City Clerk stated, “No.”

The City Attorney stated, “Is that, ok?”

The City Clerk stated, “Yeah.”

Councilor Miller stated, “But it’s not stated.”

Councilor Proctor stated, “If we’re doing them on Friday. Why not do them Wednesday? That’s when they used to get them.”

Councilor Lacewell stated, “Well, I just.”

(inaudible)

Councilor Lacewell stated, “So any time before 5:00 p.m. on Wednesday.”



Councilor Proctor stated, “Ok, ok. That’s acceptable.”

Councilor Miller stated, “John, should that be in writing here?”

The City Attorney stated, “Well when you make the motion you say subject to the amendment which stated by attorney, Underwood. Because my motion, I’m not trying to make a difference between five and noon, if you wanted it noon and Ally’s is able to do that, that’s fine with me, but all I’m saying is that the language that says the agenda packets shall be delivered to the Council members on or before 5 p.m., on Wednesday prior to the Monday regularly scheduled Monday meeting. Now of course, the weird thing about that is that if you have. For instance, we have President’s Day coming up and the regularly scheduled Monday meeting will not be until Tuesday, right. But I think if we got one or two exceptions throughout the year. So, I don’t think its worth haggling over that because you’ll still be able to get the agendas out to them on or before 5:00 p.m. on Wednesday, right? Then I’d say prior, prior to the next regularly scheduled meeting.”

Councilor Miller stated, “Ok.”

The City Attorney stated, “So that would be.”

Councilor Miller stated, “Did anybody write that down, Jody or somebody? (inaudible) we’d like to have.”

Councilor Baber stated, “So we can make a motion to amend is what.”

Councilor Lacewell stated, “I move to amend, this to say that.”

Councilor Baber stated, “I move to amend a Resolution Establishing the City of Ruidoso Downs Governing Body Meeting Agenda/Packet Procedures to include the language that Mr. Underwood just put in.” Councilor Lacewell seconded.

Mayor Holman stated, “Well that’s good. That’s a good way to do it.”

Councilor Miller stated, “We might need that verbatim also.”

Upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman stated, “Councilors, you got anything else?”

Councilor Baber stated, “Did we put Lori in?”



Councilor Lacewell stated, “Yes.”

Councilor Miller stated, “Yes.”

Mayor Holman stated, “Nothing, else? Then we are adjourned.”

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 5:00 p.m.

**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

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Dean Holman, Mayor

**ATTEST:**

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Alejandra L. Giron, MMC  
City Clerk/Treasurer



# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF GOVERNING BODY MINUTES -**

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*January 22, 2024, Regular Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Regular Session on January 22, 2024, Regular Meeting Minutes, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, January 22, 2024, Regular Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft January 22, 2024, Regular Meeting Minutes

Draft Minutes January 22, 2024 Exhibits A & B

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
JANUARY 22, 2024**

The City of Ruidoso Downs Council met in a regular session on Monday, January 22, 2024. Mayor Holman called the regular meeting to order at 2:00 p.m. and asked Councilor Miller to lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Miller, Councilor Lacewell, Councilor Proctor, Councilor Baber

**Meeting Participants:**

John Underwood, City Attorney  
Alejandra L. Giron, City Clerk/Treasurer  
Jennet Recendez, Planning Services Director

Joe Commander, Police Chief  
Joey Jarvis, Public Works Director  
Heath Keck, Fire Chief

**Meeting Participants via Phone:**

Mary Castaneda, Finance Director

**Meeting Participants via Zoom:**

Lori Plant, Municipal Judge

**APPROVAL OF AGENDA**

Councilor Lacewell moved to approve the agenda with the postponement of Items D & E until next month. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

**A. \*APPROVAL OF GOVERNING BODY MINUTES**

- \*December 11, 2023, Regular Meeting Minutes
- \*January 8, 2024, Regular Meeting Minutes

**B. \*APPROVAL OF MONTHLY REPORTS**

- \*Public Works December Report
- \*Fire Department December Report
- \*Planning and Zoning December Report

**C. \*COMMITTEE REPORTS**

- \*Planning and Zoning Commission December Report
- \*Greentree Solid Waste Authority Committee December Report



Councilor Miller moved to approve the Consent Agenda as presented. There being no Second to consider, the motion died.

### **PUBLIC INPUT**

Wayne Williams made comments.

Brian Roberts made comments.

Bonnie Richardson made comments.

Pam Williams made comments.

Beth Miller made comments.

Lori Plant made comments.

### **COUNCILORS COMMENTS**

Councilor Lacewell moved to have her statement be entered into the minutes. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Lacewell read her statement (See Exhibit A).

Councilor Miller made comments.

### **MAYORS COMMENTS**

Mayor Holman had no comments.

#### **A. Monthly Reports and Presentations**

The Planning Services Director presented on the operations of the Planning & Zoning Department for the month of December.

The Public Works Director presented on the operations of the Public Works Department for the month of December.

The Fire Chief presented on the operations of the Fire Department for the month of December.

### **NEW BUSINESS**

**A.** Discussion and Possible Action on Appointment of Brian Roberts for the Economic Development Board Vacancy.



Councilor Proctor moved to approve the Appointment of Brian Roberts for the Economic Development Board. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**B. Discussion and Possible Action on Adoption of Resolution 2024-01, a Resolution Approving the Budget Adjustment Requests for the Second Quarter of the 2024 Fiscal Year.**

Councilor Lacewell moved to approve Resolution 2024-01. Councilor Miller seconded.

Councilor Proctor moved to postpone the first two-line items (10-42-41040 and 10-42-42050) on page 1 of the budget adjustments (See Exhibit B) until discussion is held between the Municipal Judge and Finance Director. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman called for a brief recess at 4:03 p.m. and reconvened the meeting back at 4:20 p.m.

Councilor Lacewell moved to temporary postpone item B under New Business after item L under New Business. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

**F. Discussion and Possible Action on Approval of White Sands Construction Proposal for HVAC Maintenance on existing units in the Museum through State of NM Price Agreement in the amount of \$82,948.75.**

Councilor Lacewell moved to approve the White Sands Construction Proposal for HVAC Maintenance on existing units in the Museum through State of NM Price Agreement in the amount of \$82,948.75. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

**G. Discussion and Possible Action on Approval of White Sands Construction Proposal for Restroom Repairs in the Museum through State of NM Price Agreement in the amount of \$24,746.60.**

Councilor Proctor moved to approve the White Sands Construction Proposal for Restroom Repairs in the Museum through State of NM Price Agreement in the amount of \$24,746.60. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**H. Discussion and Possible Action on Approval of White Sands Construction Proposal for Green Room Floor Repairs in the Museum through State of NM Price Agreement in the amount of \$75,741.95.**



Councilor Baber moved to approve the White Sands Construction Proposal for Green Room Floor Repairs in the Museum through State of NM Price Agreement in the amount of \$75,741.95. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

**I. Discussion and Possible Action on Approval of White Sands Construction Proposal for HMAW Lobby Drywall Repairs through State of NM Price Agreement in the amount of \$46,186.31.**

Councilor Baber moved to approve the White Sands Construction Proposal for HMAW Lobby Drywall Repairs through State of NM Price Agreement in the amount of \$46,186.31. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**J. Discussion and Possible Action on Approval of Unusable and Obsolete items to Auction on Gov. Deals Website.**

Councilor Miller moved to approve the Unusable and Obsolete items to Auction on Gov. Deals Website. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

**K. Discussion and Possible Action on Approval of Change Order No. 1 between Bixby Electric and the City of Ruidoso Downs.**

Councilor Proctor moved to approve Change Order No. 1 between Bixby Electric and the City of Ruidoso Downs. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**L. Discussion and Possible Action on Approval of the Agreement between WH Pacific and the City of Ruidoso Downs for the Asset Management Plan for the City's Wastewater System in the amount of \$49,776.00 including GRT.**

Councilor Baber moved to approve the Agreement between WH Pacific and the City of Ruidoso Downs for the Asset Management Plan for the City's Wastewater System in the amount of \$49,776.00 including GRT. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Baber moved to resume discussion and possible action of item B. Councilor Proctor seconded and upon a roll call vote of all voting “aye” the motion passed.

**B. Discussion and Possible Action on Adoption of Resolution 2024-01, a Resolution Approving the Budget Adjustment Requests for the Second Quarter of the 2024 Fiscal Year.**



Councilor Proctor moved to adopt Resolution 2024-01 with the exception of the Courts line items. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**C. Discussion and Possible Action on Adoption of Resolution 2024-02, a Resolution Authorizing Signatures for the City of Ruidoso Downs Accounts with all Financial Institutions Within the Surrounding Areas of the Municipality.**

Councilor Lacewell moved to adopt Resolution 2024-02 with the removal of Temporary. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 5:00 p.m.

**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

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Dean Holman, Mayor

**ATTEST:**

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Alejandra L. Giron, MMC  
City Clerk/Treasurer



## EXHIBIT A

City Clerk: Please see that my comments are verbatim and included "for the record" in the minutes for this meeting.

To the citizens of Ruidoso Downs:

At the "Meet the Candidates" public forum October 2023 the question was brought up about moving the meeting time of our city council meetings back to 5:30 PM, and every candidate at the forum agreed that if they were elected, they would change the time to 5:30 PM to allow our working citizens to attend the meetings.

SO here we are still meeting at 2:00 -

NM State Statute § 10-15-1 (2021) letter "D" requires that "The affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body."

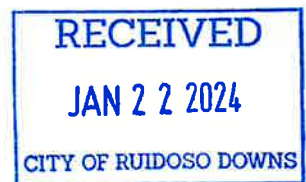
This City Council, this Governing Body (consisting of these 4 individual councilors) is the "affected body" and we are required to determine when we will have public meetings, yet this mayor is blocking us from fulfilling the requirements of that state statute.

Additionally, at the last city council meeting, this governing body, under NM State Statute § 3-11-5 (A) (2021), did not confirm 2 appointive officials and 2 employees of the municipality, so this mayor is required by that same statute to: ..."submit the name of another person to fill the appointed office or to be employed by the municipality" at this meeting, yet he has failed to put that on the agenda.

As a Governing Body, we are trying to do what we were elected to do for the good of the city and the will of the citizens of the city of Ruidoso Downs, but this mayor is intentionally blocking us, and is negligent in fulfilling his oath of office by acting contrary to state statutes.



Terry -  
Please give this  
to the city clerk  
after "Councilor's  
Comments"



# EXHIBIT B

CITY OF RUIDOSO DOWNS

Budget Journals - w cross ref dfa  
BUDGET ENTRIES JOURNAL (BUDGET)  
Period: 8/31/2023 (08/23)

Page: 1  
Jan 17, 2024 01:48PM

Report Criteria:

Total By Reference Number and Date

Date	Payee or Description	Account Number	Cross Reference Account	Account Title	Debit Amount	Credit Amount
08/31/2023	BUD ADJ	10-42-41040	11000-1009-51040	Part-time Positions-	1,040.00	
09/13/2023	BUD ADJ	10-42-42050	11000-1009-52030	Insurance	2,266.00	
09/13/2023	BUD ADJ	31-30-37130	21100-0001-47110	Law Enforcement (D		2,400.00-
09/13/2023	BUD ADJ	31-40-48020	21100-3001-58020	Cap Out-Vehicles	2,400.00	

Documents: 4 Transactions: 4

Total BUDGET:

5,706.00 2,400.00-

\*\*\* Journal is out of balance: \$ 3,306.00 \*\*\*

Total 823:

5,706.00 2,400.00-

Date	Payee or Description	Account Number	Cross Reference Account	Account Title	Debit Amount	Credit Amount
09/14/2023	BUD ADJ	34-45-49040	21400-2002-56090	Entry Sign	4,600.00	
09/19/2023	BUD ADJ	29-40-46040		Uniforms	2,000.00	
09/19/2023	BUD ADJ	29-40-44010	20900-3002-54010	Building Maintenan		2,000.00-

Documents: 3 Transactions: 3

Total BUDGET:

6,600.00 2,000.00-

\*\*\* Journal is out of balance: \$ 4,600.00 \*\*\*

Total 923:

6,600.00 2,000.00-

Date	Payee or Description	Account Number	Cross Reference Account	Account Title	Debit Amount	Credit Amount
10/31/2023	BUD ADJ	20-30-36057	21220-0001-47120	LER PD DFA		150,000.00-
10/31/2023	BUD ADJ	20-40-47011	21220-3001-51020	LER PD SALARIES	150,000.00	
Documents: 2 Transactions: 2						
Total BUDGET:					150,000.00	150,000.00-
Total 1023:					150,000.00	150,000.00-

Date	Payee or Description	Account Number	Cross Reference Account	Account Title	Debit Amount	Credit Amount
12/31/2023	BUD ADJ	29-30-37127	20900-0001-47499	SFMO-10252023		293,526.00-
12/31/2023	BUD ADJ	29-40-48052	20900-3002-58080	Cap Out-BRUSH T	293,526.00	
Documents: 2 Transactions: 2						
Total BUDGET:					293,526.00	293,526.00-
Total 1223:					293,526.00	293,526.00-
Grand Totals:					455,832.00	447,926.00-

## Report Criteria:

Total By Reference Number and Date

# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF GOVERNING BODY MINUTES -**

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*January 8, 2024, Regular Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Regular Session on January 8, 2024, Regular Meeting Minutes, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, January 8, 2024, Regular Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft January 8, 2024, Regular Meeting Minutes

Draft Minutes Exhibits A through E

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
JANUARY 8, 2024**

The City of Ruidoso Downs Council met in a regular session on Monday, January 8, 2024. Mayor Holman called the regular meeting to order at 2:00 p.m. and lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Miller, Councilor Lacewell, Councilor Proctor, Councilor Baber

**Meeting Participants:**

John Underwood, City Attorney

Joe Commander, Police Chief

Alejandra L. Giron, City Clerk/Treasurer

Joey Jarvis, Public Works Director

**APPROVAL OF AGENDA**

Councilor Lacewell moved to amend the Agenda (See Exhibit A). Councilor Proctor seconded the motion.

The City Attorney stated a Point of Order due to the Open Meetings Act requirement to post the agenda seventy-two hours in advance to the meeting and therefore a substantial change of the agenda at the time of the meeting is out of order.

Councilor Lacewell read the City of Ruidoso Downs Municipal Code of Ordinances Section 31.02 (D) Agenda (See Exhibit C).

The City Clerk stated that Ordinance had been amended and stated to the City Attorney she had placed a copy of the amended Ordinance Section 31.02 (D) Agenda in front of him.

The City Attorney proceeded to read the amended Ordinance Section 31.02 (D) (See Exhibit B).

The motion died.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

**A. \*December 11, 2023, Regular Meeting Minutes**

Councilor Miller moved to approve the Consent Agenda as presented. There being no Second to consider, the motion died.



## **PUBLIC INPUT**

Pam Williams made comments.

Wayne Williams made comments.

## **COUNCILORS COMMENTS**

Councilor Miller made comments.

## **MAYORS COMMENTS**

Mayor Holman had no comments.

## **ORGANIZATIONAL MEETING**

**A.** Reading of Rules of Debate from the City of Ruidoso Downs Municipal Code of Ordinances Section 31.02 (E) Rules of debate 1 through 7.

The City Attorney read the City of Ruidoso Downs Municipal Code of Ordinances Section 31.02 (E) Rules of debate 1 through 7 (See Exhibit C).

**B.** Election of one member to serve as Mayor Pro-Tem.

Councilor Proctor nominated Councilor Miller to serve as Mayor Pro-Tem. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**C.** Confirmation of Appointed Officials.

Councilor Lacewell moved to confirm Chief of Police, not confirm and dismiss John Underwood and end his contract, and not confirm Alejandra Giron.

The City Attorney stated the motion is out of order due to the negative motion and read the state statute (See Exhibit D). He explained to Council they must comply with the Procurement code, his contract, Rules of Order, the Agenda, and the Open Meetings Act in order to take action and not create a new agenda. The agenda item is to confirm or not to confirm.

Mayor Holman entertained a motion to confirm Joe Commander as the Chief of Police.

Councilor Miller moved to confirm Joe Commander as the Chief of Police. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

Councilor Lacewell moved to confirm John Underwood. Councilor Proctor seconded and upon a roll call vote of all voting “nay” the motion failed.



Councilor Miller moved to confirm Alejandra Giron. Councilor Baber seconded and upon a roll call vote of all voting “nay” the motion failed.

**D. Confirmation of Appointed Special Boards, Commissions or Committees.**

Councilor Lacewell moved to confirm Misty Greathouse, Shamie Mills, and Crystal Sifuentes for the Lodgers’ Tax Committee. Councilor Proctor seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Miller moved to confirm Luther Light, Celeste Beechie-Barnes, John Banks, Lamond Hurst, and Brian Roberts for the Planning & Zoning Commission. Councilor Baber seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Baber moved to confirm Walter Baber and Dean Holman as Alternate for the Greentree Solid Waste Authority. Councilor Proctor seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Miller moved to confirm Dean Holman and Joey Jarvis for the Regional Wastewater Treatment Plant Joint Use Board. Councilor Proctor seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Lacewell moved to confirm Dean Holman, Celeste Beechie-Barnes, Proctor, and Kay Stirman for the Economic Development Board listed. Councilor Baber seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Mayor Holman stated he will be accepting letters of interest for membership of the Parks and Beautification Committee.

Councilor Miller moved to confirm Joe Commander and Robert Knight for the Consolidated Dispatch. Councilor Baber seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Miller moved to confirm Joe Commander and Robert Knight for the DWI Council-Ruidoso Downs, City Council Liaison. Councilor Baber seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

Councilor Proctor moved to confirm Joey Jarvis for the Ruidoso River Restoration Committee. Councilor Miller seconded the motion and upon a roll call vote of all voting “aye” the motion passed.



**E. Confirmation of the Names of Persons who shall be Employed by the Municipality.**

Councilor Lacewell moved to confirm of the Names of Persons who shall be Employed by the Municipality and read the list of employees (See Exhibit E) with the exception of City Court staff, City Appointed Officials, Nancy Gutierrez, and Heath Keck. Councilor Proctor seconded the motion and upon a roll call vote of all voting “aye” the motion passed.

**NEW BUSINESS**

**A. Discussion and Possible Action on Approval of Agreement between the NM DFA and City of Ruidoso Downs for the All American Park Paving and Drainage Project in the amount of \$920,000.00.**

The Public Works Director presented on the Agreement.

Councilor Proctor moved to approve the Agreement between the NM DFA and City of Ruidoso Downs for the All American Park Paving and Drainage Project in the amount of \$920,000.00. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**B. Discussion and Possible Action on Approval of Memorandum of Understanding between the City of Ruidoso Downs and SNMEDD for Fiscal Agent Services on Capital Appropriation #23-ZH5053-44 in the amount of \$5,000.00.**

The Public Works Director presented on the Memorandum of Understanding.

Councilor Lacewell moved to approve the Memorandum of Understanding. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**C. Discussion and Possible Action on Approval of Task Order No. 2023-03 between Dennis Engineering Co. and the City of Ruidoso Downs in the amount of \$75,000.00 exclusive of NM GRT.**

The Public Works Director presented on Task Order No. 2023-03.

Councilor Proctor moved to approve Task Order No. 2023-03. Councilor Baber seconded and upon a roll call vote of all voting “aye” the motion passed.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 3:01 p.m.



**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

---

Dean Holman, Mayor

**ATTEST:**

---

Alejandra L. Giron, MMC  
City Clerk/Treasurer



# EXHIBIT A

## 9. ORGANIZATIONAL MEETING

A. Reading of Rules of Debate from the City of Ruidoso Downs Municipal Code of Ordinances Section 31.02 (E) Rules of debate 1 through 7.

B. Election of one member to serve as Mayor Pro-Tem.

C. Affirmation of Resolution No. 2017-05-Resolution of the City of Ruidoso Downs Governing Body Code of Ethics

D. Discuss and Possibly Take Action on Adoption of Resolution 2024-01, a Resolution Establishing the City of Ruidoso Downs Governing Body Meetings, Committee, and Board Meetings and Public Notice Requirements.

E. Confirmation of Appointed Officials.

F. Confirmation of Appointed Special Boards, Commissions or Committees.

G. Confirmation of the Names of Persons who shall be Employed by the Municipality.

## 10. NEW BUSINESS

A. Discussion and Possible Action on Approval of Agreement between the NM DFA and City of Ruidoso Downs for the All American Park Paving and Drainage Project in the amount of \$920,000.00.

B. Discussion and Possible Action on Approval of Memorandum of Understanding between the City of Ruidoso Downs and SNMEDD for Fiscal Agent Services on Capital Appropriation #23-ZH5053-44 in the amount of \$5,000.00.

C. Discussion and Possible Action on Approval of Task Order No. 2023-03 between Dennis Engineering Co. and the City of Ruidoso Downs in the amount of \$75,000.00 exclusive of NM GRT.

D. Discuss and Possibly Take Action to Amend Retention Schedule to save all Recordings of City Council Meetings including YouTube Videos for 2 years.

E. Discuss and Possibly Take Action on personnel matters

# EXHIBIT B

## CITY OF RUIDOSO DOWNS ORDINANCE 2023-01

### AN ORDINANCE AMENDING THE CITY OF RUIDOSO DOWNS CODE OF ORDINANCE TITLE III ADMINISTRATION, CHAPTER 31: CITY COUNCIL

NOW THEREFORE BE IT ORDAINED BY THE CITY OF RUIDOSO DOWNS  
GOVERNING BODY THAT CHAPTER 31 BE AMENDED AS FOLLOWS WITH  
DELETED MATERIAL AS STRICKEN AND ADDED MATERIAL IN RED BOLD:

#### CHAPTER 31: CITY COUNCIL

##### § 31.02 MEETINGS; PROCEDURES.

(D) *Agenda.* **The City Clerk/Treasurer, through the Mayor, shall prepare the agenda for all Council meetings. Requests for placement of items on the agenda shall be approved by the Mayor.** All reports, communications, ordinances, resolutions, contracts, documents, or other matters to be submitted to the Governing Body shall be delivered to the City Clerk/Treasurer at least five working days prior to each meeting, whereupon the City Clerk/Treasurer shall immediately arrange a list of these matters according to the order of business. Each Councilor, the Mayor, and the City Attorney will be furnished a copy of the minutes of the last meeting prior to the Council meeting, as far in advance of the meeting as time for preparation will permit. ~~Additional items may be added to the agenda by unanimous consent of the members of the Governing Body.~~

(G) *Decorum.*

(3) *Public.* While the Governing Body is in session, the members shall observe order and decorum and neither delay nor interrupt the proceedings of the Council, nor disturb any member while speaking, nor refuse to obey the orders of the Council or its presiding officer. **Each person who addresses the Governing Body shall not make disruptive comments which include, but are not limited to, personal attacks, threatening remarks, repetitive remarks, slanderous**

**remarks, derogatory remarks, profane remarks, derogatory remarks concerning personnel, or other comments or acts that disrupt the proceedings.**

(H) *Order of business.* The order of business of the Governing Body shall be taken up for consideration and disposition in the following order:

~~(2) MOMENT OF SILENCE AND  
PLEDGE OF ALLEGIANCE~~

(5) APPROVAL OF CONSENT  
AGENDA **(To be used only for routine, ministerial items when the agenda is lengthy.) The consent agenda is approved by a single motion. Any member of the Governing Body may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote;**

~~(A) Approve Council  
Meeting Minutes (date)~~

~~(B) Approve Accounts~~  
Payables

~~(C) Approve Department~~  
Reports

~~(D) Approve Committee~~  
Reports,

(7) COUNCILORS **COMMENTS**  
~~ANNOUNCEMENTS~~

(8) ~~MAYORAL~~ **MAYORS**  
COMMENTS

Ordinance 2023-01 shall become effective five days after publication as provided by law.

**PASSED, APPROVED, and ADOPTED** this 13<sup>th</sup> day of February 2023 in regular session by the City of Ruidoso Downs Governing Body, at Ruidoso Downs, Lincoln County, New Mexico.

*Dean Holman*

Dean Holman, Mayor

(SEAL)

ATTEST:

*Alejandra L. Giron*  
Alejandra L. Giron, MMC  
City Clerk/Treasurer

Municipality to fill the vacancy until the next regular Municipal election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any.

(§ 3-12-3 NMSA 1978) (1988 Code, § 1-3-1) (Ord. 2001-03, passed 10-23-2001; Ord. 2002-11, passed 9-10-2002; Ord. 2022-02, passed 2-28-2022)

## § 31.02 MEETINGS; PROCEDURES.

(A) *Regular meetings.* The Governing Body shall by resolution determine at least annually in a public meeting what notice for a public meeting is reasonable.

(B) *Special meetings.* The Mayor, or a majority of the members of the City Council, may call special meetings by notice to each member of the City Council, personally served, or left at his or her usual place of business.

(C) *Quorum.* No action shall be taken unless a quorum is present. A majority of the members of the Governing Body shall constitute a quorum for the purpose of transacting business at any regular or special meeting where each question must be decided by a majority vote of the members present. For purposes of determining whether a quorum is present, the Mayor shall be included.

(D) *Agenda.* All reports, communications, ordinances, resolutions, contracts, documents, or other matters to be submitted to the Governing Body shall be delivered to the City Clerk/Treasurer at least five working days prior to each meeting, whereupon the City Clerk/Treasurer shall immediately arrange a list of these matters according to the order of business. Each Councilor, the Mayor, and the City Attorney will be furnished a copy of the minutes of the last meeting prior to the Council meeting, as far in advance of the meeting as time for preparation will permit. Additional items may be added to the agenda by unanimous consent of the members of the Governing Body.

### (E) *Rules of debate.*

(1) *Mayor.* The Mayor may not make or second motions, but may debate from the chair, and shall have all the privileges of the members of the Governing Body, except that he or she shall only vote when there is a tie.

(2) *Councilors.* Each Councilor desiring to speak shall address the presiding officer, and after being recognized, confine himself or herself to debate, avoiding personalities and indecorous language.

(3) *Interruption.* A Councilor, having been recognized, shall not be interrupted except to call him or her to order. If called to order, he or she shall cease speaking until the point of order is decided, after which he or she may proceed.

(4) *Closing debate.* The Councilor moving the adoption of an ordinance or resolution shall have the privilege of closing debate.

(5) *Reconsideration.* A motion to reconsider any action taken by the Governing Body shall be made on the day the action was taken. Such a motion shall have precedence over all other motions except a motion to adjourn and shall be debatable if the motion it refers to was debatable. The motion to reconsider may be made only by a member who voted with the prevailing side.

(6) *Statement in minutes.* A member of the City Council may request the privilege of having his or her statement on any subject under consideration entered in the minutes, subject to the consent of the Governing Body; provided that any member shall have the right to cause his or her reasons for dissent or protest against the action of the Council entered in the minutes without consent.

(7) *Issues not covered.* *Robert's Rules of Order, Newly Revised* shall be used by the City Council in determining any issue not covered by this section.

# EXHIBIT D

11/28/23, 10:59 AM

Chapter 3 - Municipalities - NMOneSource.com

## **3-11-5. Mayor; appointment of officers after election.**

A. At the organizational meeting of the governing body, the mayor shall submit, for confirmation by the governing body, the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the municipality. If the governing body fails to confirm any person as an appointive official or employee of the municipality, the mayor at the next regular meeting of the governing body shall submit the name of another person to fill the appointed office or to be employed by the municipality.

B. Any person holding an appointed office at the time of the municipal election shall continue in that office until the person's successor has been appointed and is qualified.

# EXHIBIT E

City of Ruidoso Downs

Employee List

Page: 1  
Jan 02, 2024 8:06AM

Name	Employee Number	Department	Position
Ballard, Mark	586	Parks	Laborer
Becker, Karl	560	Police	Police Officer
Castaneda, Mary	554	Finance	Clerical
Chavez, Ruben I	385	Streets	Maintenance
Chavez, Selena	548	Administration	Clerical
Commander, Joe	574	Police	Police Officer
Dickson, Joshua	551	Water Util	Maintenance
Gilmore, Blythe	573	Court	Clerical
Giron, Alejandra	530	Administration	City Clerk
Gonzales, Maria	588	Garage	Clerical
Gray, Jay	475	Water Util	Maintenance
Gutierrez, Maria	585	Court	Clerical
Gutierrez, Nancy	577	Licensing, Planning	Clerical
Hanshaw, Nickolas	578	Police	Police Officer
Herrera, Sharon	586	Joint Water/Sewer	Clerical
Jarvis, Joe	410	Water Util	Utility Operator
Kack, Heath	587	Fire	Firefighter
Knight, Robert	517	Police	Police Officer
Lewis, Mark	293	Water Util	Electrician
Maddonado, Calli	575	Court	Bailiff
Malone, Nicholas	548	Police	Police Officer
Marion, James	144	Animal Control	Animal Control Off
Michael, Rebecca	584	Police	Clerical
Miller, Donna	380	Administration	Clerk
Moreno, Diane	584	Joint Water/Sewer	Clerical
Polaco, Eli	461	Parks	Maintenance
Randolph, Ronnie	13	Parks	Laborer
Recendez, Jennet	587	Licensing, Planning	Clerical
Snowden, Michael	453	Water Util	Maintenance
Thomson, Michael	579	Garage	Mechanic
Valdez, Patricia	376	Administration	Custodian
VILLARREAL, CELIA	441	Police	Clerical
Wall, Michael	580	Streets	Maintenance
Yeager, Michael	545	Streets	Maintenance

# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

### **APPROVAL OF GOVERNING BODY MINUTES -**

**To:** Mayor Holman and Councilors

**Presenter(s):** City Clerk/Treasurer

**Meeting Date:** March 25, 2024

**Re:** \*December 11, 2023, Regular Meeting Minutes

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#### **Item Summary:**

The Governing Body met in a Regular Session on December 11, 2023, Regular Meeting Minutes, and the minutes attached are the product of the proceedings.

#### **Financial Impact:**

This item has no financial impact.

#### **Recommendations:**

To approve, December 11, 2023, Regular Meeting Minutes.

#### **ATTACHMENTS:**

Description

Draft December 11, 2023, Regular Meeting Minutes

**CITY OF RUIDOSO DOWNS  
GOVERNING BODY, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO 88346  
DECEMBER 11, 2023**

The City of Ruidoso Downs Council met in a regular session on Monday, December 11, 2023. Mayor Holman called the regular meeting to order at 2:00 p.m. and asked Councilor Miller to lead in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilor Walker, Councilor Lundquist, Councilor Miller, Councilor Lacewell

**Municipal Employees Present:**

John Underwood, City Attorney  
Alejandra L. Giron, City Clerk/Treasurer  
Joe Commander, Police Chief  
Robert Knight, Deputy Police Chief  
Mary Castaneda, Finance Director  
Jennet Recendez, Planning Services Director  
Blythe Gilmore, Court Administrator  
Maria Gutierrez, Assistant Court Clerk

**Guests Present: 11**

**APPROVAL OF AGENDA**

Councilor Lacewell moved to postpone items A & E of the agenda to the next council meeting. Councilor Miller seconded and upon a roll call vote of the following, the motion failed. Aye: Councilor Miller, Councilor Lacewell. Nay: Councilor Lundquist, Councilor Walker, Mayor Holman.

Councilor Lacewell moved to approve the agenda as presented. Councilor Miller seconded and upon a roll call vote of all voting “aye” the motion passed.

**APPROVAL OF CONSENT AGENDA**

(All matters listed under Item 5 will be enacted by one motion.)

- A. \*Notification of Late Audit for Fiscal Year 2023
- B. \*APPROVAL OF GOVERNING BODY MINUTES  
    \*November 27, 2023, Regular Meeting Minutes
- C. \*APPROVAL OF MONTHLY REPORTS



- \*Public Works November Report
- \*Police Department November Report
- \*Planning and Zoning November Report

**D. \*COMMITTEE REPORTS**

- \*Lodger's Tax Committee November Report
- \*Greentree Solid Waste Authority Committee November Report

Councilor Lundquist moved to approve the Consent Agenda as presented. Councilor Walker seconded and upon a roll call vote of all voting “aye” the motion passed.

**PUBLIC INPUT**

Bonnie Richardson made comments.

**COUNCILORS COMMENTS**

Councilor Lacewell made comments.

Councilor Miller made comments.

**MAYORS COMMENTS**

Mayor Holman made comments.

The Planning Services Director presented on the operations of the Planning & Zoning Department for the month of November.

The Deputy Police Chief presented on the operations of the Police Department for the month of November.

The Public Works Director presented on the operations of the Public Works Department for the month of November.

The Court Administrator presented on the operations of the Municipal Court for the month of November.

**NEW BUSINESS**

**A.** Discussion and Possible Action on approval of Personnel Recommendation to hire Heath Keck for the Fire Chief of the Fire Department.

Mayor Holman presented and requested approval to hire Heath Keck for the Fire Chief for the Fire Department.



Councilor Walker moved to approve the hire of Heath Keck for the Fire Chief. Councilor Lundquist seconded and upon a roll call vote of the following, the motion passed. Aye: Councilor Lundquist, Councilor Walker, Mayor Holman. Nay: Councilor Miller, Councilor Lacewell.

**B. Discussion and Possible Action on approval of Personnel Recommendation to hire Sharon Herrera for the Utility Clerk/Administrative Assistant for the Finance Department.**

The Finance Director presented and requested approval to hire Sharon Herrera for the Utility Clerk/Administrative Assistant for the Finance Department.

Councilor Miller moved to approve the hire of Sharon Herrera for the Utility Clerk/Administrative Assistant. Councilor Lundquist seconded and upon a roll call vote of all voting “aye” the motion passed.

**C. Discussion and Possible Action on approval of Personnel Recommendation to hire Maria Gonzales for the Administrative Assistant for the Public Works Department.**

The Public Works Director presented and requested approval to hire Maria Gonzales for the Administrative Assistant for the Public Works Department.

Councilor Walker moved to approve the hire of Maria Gonzales for the Administrative Assistant. Councilor Lundquist seconded and upon a roll call vote of all voting “aye” the motion passed.

**D. Discussion and Possible Action on Adoption of Resolution 2023-27, a Resolution approving the Holiday Schedule for Calendar Year 2024.**

Mayor Holman presented and requested approval to adopt Resolution 2023-27.

Councilor Walker moved to adopt Resolution 2023-27. Councilor Lundquist seconded and upon a roll call vote of the following, the motion passed. Aye: Councilor Lundquist, Councilor Walker, Councilor Miller. Nay: Councilor Lacewell.

**E. Discussion and Possible Action on Adoption of Resolution 2023-28, a Resolution Establishing the City of Ruidoso Downs Governing Body Meetings, Committee, and Board Meetings and Public Notice Requirements.**

Mayor Holman presented and requested approval to adopt Resolution 2023-28.



Councilor Lacewell moved to postpone Resolution 2023-28 to the next year. Councilor Miller seconded and upon a roll call vote of the following, the motion failed. Aye: Councilor Miller, Councilor Lacewell. Nay: Councilor Lundquist, Councilor Walker, Mayor Holman.

Councilor Walker moved to adopt Resolution 2023-28 with the amendment to include Zoom be available for the citizens to attend the meetings virtually. Councilor Lundquist seconded and upon a roll call vote of the following, the motion passed. Aye: Councilor Miller, Councilor Lundquist, Councilor Walker. Nay: Councilor Lacewell.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mayor Holman adjourned the regular meeting at 3:17 p.m.

**MINUTES ARE DRAFT UNTIL APPROVED ON:**

Passed and Approved on this 25<sup>th</sup> day of March 2024.

**APPROVED:**

---

Dean Holman, Mayor

**ATTEST:**

---

Alejandra L. Giron, MMC  
City Clerk/Treasurer



**AGENDA MEMORANDUM**  
**CITY OF RUIDOSO DOWNS**

MAYORS COMMENTS - A.

**To:** Mayor Holman and Councilors

**Presenter(s):** Mayor

**Meeting Date:** March 25, 2024

**Re:** Monthly Reports and Presentations

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**Item Summary:**

Monthly Reports and Presentations:

Police  
Finance  
Public Works  
Planning and Zoning

**Financial Impact:**

This item has no financial impact.

**Recommendations:**

To review.

**ATTACHMENTS:**

Description

Police Department February Report  
Finance Department February Report  
Public Works Department February Report  
P & Z Department February Report

# *POLICE DEPARTMENT*

*CITY OF RUIDOSO DOWNS*



*CHIEF OF POLICE: JOE COMMANDER*

Ruidoso Downs Police Department Month End Report

February 2024

Submitted By:

Joe Commander

Chief of Police

Signature:  Date: 3/5/24

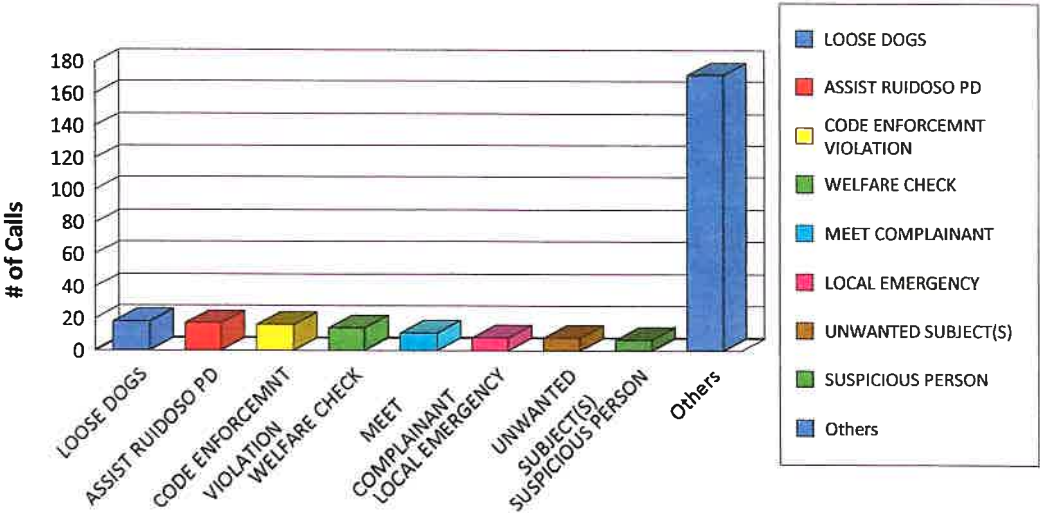
PO Box 348 Ruidoso Downs, NM 88346

Office: (575) 378-4001 Fax: (575) 378-8460

Calls Statistics by Type Summary

2/1/2024 - 2/29/2024  
00:00:00 - 23:59:00

Agency - RDPD



	2/2024	Total
911 CALL	5	5
ABANDONED VEHICLE	3	3
ACCIDENT/HIT AND RUN	1	1
ACCIDENT/MINOR 44	5	5
ANIMAL CALL	6	6
ANIMAL CRUELTY	1	1
ANIMAL IN DISTRESS	1	1
ASSIST CAPITAN PD	1	1
ASSIST CYFD	2	2
ASSIST EMS	1	1
ASSIST FIRE DEPT	1	1
ASSIST LCSO	5	5
ASSIST NM STATE POLICE	1	1
ASSIST RUIDOSO PD	17	17
ATTEMPT TO LOCATE	4	4
BARKING DOGS	1	1
BATTERY	1	1
BE ON THE LOOKOUT	4	4

	2/2024	Total
BUSINESS ALARM	3	3
CIVIL DISPUTE	5	5
CIVIL STANDBY	2	2
CLOSE PATROL REQUEST	2	2
CODE ENFORCEMENT VIOLATION	16	16
COUNTERFEIT	1	1
CRIMINAL DAMAGE TO PROPERTY	2	2
CRIMINAL TRESPASS	2	2
DEAD ANIMAL	4	4
DRIVING ON 122G LICENSE	1	1
DRUNK SUBJECT	1	1
EMERGENCY MESSAGE DELIVERY	1	1
FELONY WARRANT	1	1
FIGHT IN PROGRESS	2	2
FOLLOW UP	1	1
FOUND PROPERTY	1	1
FRAUD	2	2
HARASSMENT	3	3
INFORMATION	2	2
LARCENY	2	2
LOCAL EMERGENCY	8	8
LOOSE DOGS	18	18
LOOSE LIVESTOCK	1	1
LOST ANIMAL	1	1
LOST CHILD	1	1
LOUD MUSIC DISTURBANCE	3	3
MEET COMPLAINANT	11	11
MENTAL PATIENT/SUBJ	1	1
MISDEMEANOR WARRANT	1	1
MOTORIST ASSIST/STALL VEHICLE	2	2
NOISE DISTURBANCE	1	1
OPEN DOOR	1	1
PARKING VIOLATION	2	2

	2/2024	Total
POSSESSION OF MARIJUANA	1	1
PRISONER TRANSPORT	6	6
PROBATION/PAROLE DIV	1	1
PROTECTION ORDER	1	1
PROWLER	1	1
PUBLIC RELATIONS/PR RIDE	6	6
RECKLESS DRIVING	6	6
RESIDENCE ALARM	1	1
RUNAWAY	3	3
SET TRAP	5	5
SHOPLIFTING	1	1
SUBJ WITH A WEAPON/GUN	1	1
SUICIDE ATTEMPT/THREAT	5	5
SUSPICIOUS PERSON	7	7
SUSPICIOUS SITUATION	7	7
SUSPICIOUS VEHICLE	7	7
THEFT OF MOTOR VEHICLE	1	1
TRAFFIC CONTROL	1	1
TRAFFIC OBSTRUCTION	2	2
TROUBLE TO ENSUE	1	1
TROUBLE WITH SUBJECT(S)	2	2
UNATTENDED DEATH	1	1
UNKNOWN ALARM	1	1
UNWANTED SUBJECT(S)	8	8
UTILITY CALL	1	1
VANDALISM	1	1
VEHICLE PURSUIT	1	1
VERBAL DOM/DISORDERLY	5	5
VICIOUS ANIMAL	3	3
VIOLENT DOMESTIC	2	2
WELFARE CHECK	14	14
WILD ANIMAL	1	1
WRECKER CALL	2	2

	2/2024	Total
Total	271	271

<u>Arrested</u>	<u>Arrest #</u>	<u>Seq</u>	<u>Name</u>	<u>DOB</u>	<u>Race</u>	<u>Sex</u>	<u>Eth</u>	<u>Age</u>	<u>Hght</u>	<u>Wght</u>	<u>Hair</u>	<u>Eyes</u>	<u>Skin</u>	<u>Agency</u>
02/01/2024	A24000013	1		07/18/1982	W	M	H	41	5'06"	155	BLK	BRO	MBR	RDPD
<b><u>Violation</u></b>														
WARRANT (CRIMINAL DAMAGE TO PROPERTY)														
WARRANT (CRIMINAL TRESPASS)														
02/03/2024	A24000014	1		04/01/1997	I	M	H	26	5'09"	180	BLK	BRO		RDPD
<b><u>Violation</u></b>														
BATTERY AGAINST A HOUSEHOLD MEMBER														
02/05/2024	A24000015	1		09/11/1970	W	M	H	53	5'08"	155	BLK	BRO		RDPD
<b><u>Violation</u></b>														
WARRANT (DRIVING SUSPENDED)														
02/06/2024	A24000016	1		07/27/2000	W	M	H	23	5'06"	150	BLK	BRO	LBR	RDPD
<b><u>Violation</u></b>														
BATTERY														
POSSESSION OF DRUG PARAPHERNALIA														
02/08/2024	A24000017	1		04/27/1987	W	M	N	36	5'07"	185	BLK	BRO		RDPD
<b><u>Violation</u></b>														
AGGRAVATED DWI 3RD (REFUSAL)														
02/10/2024	A24000018	1		05/23/1991	W	F	N	32	5'05"	250	BRO	HAZ		RDPD
<b><u>Violation</u></b>														
WARRANT (EMBEZZLEMENT OF A MOTOR VEHICLE)														
WARRANT (TRAFFICKING OF A CONTROLLED SUBSTANCE)														
02/28/2024	A24000019	1		05/21/1999	W	F	H	24	5'02"	140	BLK	BRO	LGT	RDPD
<b><u>Violation</u></b>														
BRING CONTRABAND INTO A JAIL														
WARRANT (DRIVER TO BE LICENSED)														
WARRANT (SHOPLIFTING)														
WARRANT (SHOPLIFTING)														

## Arrests

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					2	3

1

2

Hanshaw-1



## Report Criteria:

Print Outstanding Checks and Deposits and Bank and Book adjustments

Operating Checking - Combined () (69)  
February 29, 2024

Account: 010010101

Bank Account Number:

Bank Statement Balance:	15,405,755.47	Book Balance Previous Month:	14,888,257.92
Outstanding Deposits:	3,117.52	Total Receipts:	787,218.03
Outstanding Checks:	215,195.45	Total Disbursements:	477,059.98
Bank Adjustments:	33.48	Book Adjustments:	.00
Bank Balance:	15,193,711.02	Book Balance:	15,198,415.97
		Proof (Bank balance less book balance):	4,704.95-

Outstanding Deposits Section

Deposit Number	Deposit Amount	Deposit Number	Deposit Amount	Deposit Number	Deposit Amount	Deposit Number	Deposit Amount
132	223.00	154	468.65	155	568.20	158	268.00
159	335.78	160	366.50	161	304.78	162	582.61
Grand Totals:							3,117.52

Deposits cleared: 87 items Deposits Outstanding: 8 items

Outstanding Checks Section

Check Number	Check Amount	Check Number	Check Amount	Check Number	Check Amount	Check Number	Check Amount
25935	990.35	44403	140.80	44776	1,381.97	45060	29.06
45358	50.00	45528	1,194.40	45529	51.61	45530	1,297.50
45531	50,259.98	45532	135.23	45533	2,984.43	45534	150.59
45536	36.00	45537	5.00	45538	3,376.00	45539	150.00
45540	1,649.29	45541	285.56	45542	1,500.00	45544	1,070.86
45545	125,510.27	45546	8,535.00	45547	4,640.56	45549	370.68
702859	1,931.05	702900	458.07	702901	97.61	702902	2,208.63
Grand Totals:							210,490.50

Checks cleared: 79 items Checks Outstanding: 28 items

Bank Adjustments Section

Description	Amount	Description	Amount
CC DIT	33.48		
Grand Totals:			33.48

Book Adjustments Section



## Report Criteria:

Print Outstanding Checks and Deposits and Bank and Book adjustments

## Water Security Deposit Checkin () (71)

February 29, 2024

Account: 750010107

Bank Account Number:

Bank Statement Balance:	111,508.54	Book Balance Previous Month:	110,109.84
Outstanding Deposits:	423.71	Total Receipts:	650.00
Outstanding Checks:	2,267.44	Total Disbursements:	1,095.03
Bank Adjustments:	.00	Book Adjustments:	.00
Bank Balance:	109,664.81	Book Balance:	109,664.81
		Proof (Bank balance less book balance):	.00

Outstanding Deposits Section

Deposit Number	Deposit Amount	Deposit Number	Deposit Amount	Deposit Number	Deposit Amount	Deposit Number	Deposit Amount
2	7.30-	14	75.00	164	200.00	1054	5.00
1072	1.01	1203	75.00	1439	75.00		
Grand Totals:							423.71

Deposits cleared: 5 items

Deposits Outstanding: 7 items

Outstanding Checks Section

Check Number	Check Amount	Check Number	Check Amount	Check Number	Check Amount	Check Number	Check Amount
3004	138.27	3005	52.08	3009	38.96	3011	150.00
3014	75.00	3015	115.59	3016	598.95	3021	18.38
3025	32.44	3027	50.00	3031	50.00	3036	88.88
3038	133.80	3040	29.43	3041	10.72	3042	30.00
3043	50.00	3044	75.00	3045	50.00	3046	72.72
3048	87.47	3050	20.41	3052	76.61	3055	30.00
3060	43.28	3062	7.04	3063	79.87	3064	62.54
Grand Totals:							2,267.44

Checks cleared: 2 items

Checks Outstanding: 28 items

Bank Adjustments SectionBook Adjustments Section



## Report Criteria:

Print Outstanding Checks and Deposits and Bank and Book adjustments

CDBG NEW () (153)

February 29, 2024

Account: 420010107

Bank Account Number:

Bank Statement Balance:	.00	Book Balance Previous Month:	.00
Outstanding Deposits:	.00	Total Receipts:	.00
Outstanding Checks:	.00	Total Disbursements:	.00
Bank Adjustments:	.00	Book Adjustments:	.00
Bank Balance:	.00	Book Balance:	.00
		Proof (Bank balance less book balance):	.00

Outstanding Deposits SectionBank Adjustments SectionBook Adjustments Section



CITY OF RUIDOSO DOWNS  
FISCAL YEAR: 2023-24  
REPORT PERIOD: 02/24 - 02/24

FUND NUMBER AND TITLE	BEGINNING C BALANCE	REVENUES	TRANSFERS	EXPENDITUR	CHANGE IN BALANCE SHE	ENDING CASH BALANCE
10 GENERAL FUND	5,754,369.91	473,897.71	( 8,165.00)	214,779.51	( 58,091.02)	5,947,232.09
20 POLICE GRANTS	150,663.52	8,500.11	.00	837.61	.00	158,326.02
21 LOCAL GOVERNMENT CORRECTION	71,109.12	713.79	.00	88.68	.00	71,734.23
22 JUDICIAL EDUCATION	1,822.87	115.00	.00	63.00	.00	1,874.87
23 COURT AUTOMATION	1,958.25	173.11	.00	246.00	.00	1,885.36
26 EMERGENCY MEDICAL SERVICES	8,010.99	.00	.00	4,400.00	.00	3,610.99
28 GAS TAX ROAD FUND	339,603.43	2,250.09	.00	.00	.00	341,853.52
29 FIRE PROTECTION FUND	816,159.11	52,150.07	.00	( 4,001.52)	.00	872,310.70
30 EMERGENCY CONTINGENCY FUND	100,000.00	.00	.00	.00	.00	100,000.00
31 LAW ENFORCEMENT PROTECTION	22,334.00	.00	.00	.00	.00	22,334.00
32 FRF CARES ACT	495,536.96	.00	.00	.00	.00	495,536.96
33 CANNABIS REGULATION ACT	8,132.67	.00	.00	.00	.00	8,132.67
34 LODGERS TAX FUND	967,552.07	19,195.60	.00	.00	.00	986,747.67
36 MUSEUM FUND	1,911.94	.00	8,165.00	2,626.12	.00	7,450.82
37 RECREATION FUND	3,709.40	.00	.00	.00	.00	3,709.40
39 INFRASTRUCTURE FUND	1,053,103.83	19,085.50	.00	395.72	.00	1,071,793.61
40 DEBT FUND	.00	.00	9,490.92	9,490.92	.00	.00
41 GO BOND	133,572.31	5,961.03	( 9,490.92)	59.61	.00	129,982.81
53 SEWER FUND	3,087,895.30	111,058.65	.00	163,699.17	116.40	3,035,371.18
54 SANITATION FUND	73,731.11	30,159.15	.00	30,368.28	( 175.34)	73,346.64
55 WATER FUND	723,850.65	41,928.21	.00	( 1,702.71)	4,754.65	772,236.22
56 WATER & SEWER IMPROVEMENTS	989,343.73	18,986.21	.00	395.72	.00	1,007,934.22
58 SEWER SYSTEM CAP EQUIP & INFRA	130,335.47	202.97	.00	.00	.00	130,538.44
75 WATER SECURITY FUND	95,843.53	650.00	.00	81.11	.00	96,412.42
GRAND TOTAL	15,030,550.17	785,027.20	.00	421,827.22	( 53,395.31)	15,340,354.84



CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
10-31-31100 FRANCHISE TAX	.00	53,722.42	91,656.00	37,933.58	58.6
10-31-31250 STATE DIST. GRT	172,335.13	1,442,861.57	1,873,114.00	430,252.43	77.0
10-31-31259 STATE DIST. CMP GRT	2,651.67	114,221.31	37,200.00	77,021.31	307.1
10-31-31260 STATE DIST. ITG GRT	27.15	230.51	1,000.00	769.49	23.1
10-31-31261 STATE DIST. CAN GRT	.00	.00	.00	.00	.0
10-31-31500 PROPERTY TAXES - CURRENT	9,778.05	212,181.43	372,112.00	159,930.57	57.0
10-31-31510 PROPERTY TAXES - PRIOR	1,085.99	16,293.18	30,250.00	13,956.82	53.9
TOTAL TAXES	185,877.99	1,839,510.42	2,405,332.00	565,821.58	76.5
<u>INTERGOVERNMENTAL</u>					
10-32-32220 CIGARETTE TAX REGULAR (.02)	.00	.00	.00	.00	.0
10-32-32225 GASOLINE TAX	.00	.00	.00	.00	.0
10-32-32410 MUNICIPAL DIST. GRT (1.225%)	175,333.68	1,472,403.96	1,876,843.00	404,439.04	78.5
10-32-32420 H.B 6 DISTRIBUTIONS	.00	.00	.00	.00	.0
10-32-32610 MOTOR VEHICLE - REGISTRY (ALL)	1,092.59	4,786.89	7,511.00	2,724.11	63.7
10-32-32700 STATE RACING COMMISSION TAX	.00	.00	.00	.00	.0
TOTAL INTERGOVERNMENTAL	176,426.27	1,477,190.85	1,884,354.00	407,163.15	78.4
<u>LICENSES &amp; PERMITS</u>					
10-33-33100 ANIMAL LICENSE	7.50	30.00	500.00	470.00	6.0
10-33-33110 ANIMAL VACCINATION FEES	.00	2.50	100.00	97.50	2.5
10-33-33300 BUILDING PERMITS	50.00	570.00	1,500.00	930.00	38.0
10-33-33400 BUSINESS REGISTRATION	1,045.00	4,755.00	7,280.00	2,525.00	65.3
10-33-33465 LATE FEES	.00	10.00	100.00	90.00	10.0
10-33-33500 LIQUOR LICENSE	.00	.00	1,000.00	1,000.00	.0
10-33-33910 SIGN PERMITS	.00	790.00	350.00	440.00	225.7
10-33-33920 MOBILE HOME PERMITS	50.00	50.00	200.00	150.00	25.0
10-33-33930 PHOSPHORUS PERMIT	.00	.00	100.00	100.00	.0
TOTAL LICENSES & PERMITS	1,152.50	6,207.50	11,130.00	4,922.50	55.8
<u>CHARGES FOR SERVICES</u>					
10-34-34150 PRINTING & COPYING CHARGES	29.00	299.41	1,800.00	1,500.59	16.6
10-34-34210 STREET CUT REPAIRS	.00	.00	500.00	500.00	.0
10-34-34230 P & Z FEES	514.23	3,019.28	3,500.00	480.72	86.3
10-34-34240 BALLFIELD FEES	.00	1,800.00	3,500.00	1,700.00	51.4
TOTAL CHARGES FOR SERVICES	543.23	5,118.69	9,300.00	4,181.31	55.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>FINES &amp; FORFEITURES</u>					
10-35-35010 COURT FEES	3,476.17	24,057.65	80,800.00	56,742.35	29.8
10-35-35011 COURT REMITTANCES	.00	.00	.00	.00	.0
10-35-35015 BOND FORFEITURES	.00	.00	.00	.00	.0
10-35-35016 COURT ORDERED RESTITUTION	.00	.00	1,000.00	1,000.00	.0
10-35-35020 MAG COURT FEE	.00	.00	.00	.00	.0
10-35-35030 COURT AUTOMATION FUNDS	.00	.00	8,000.00	8,000.00	.0
10-35-35050 COURT OVERPAYMENTS	.00	.00	.00	.00	.0
TOTAL FINES & FORFEITURES	3,476.17	24,057.65	89,800.00	65,742.35	26.8

<u>MISCELLANEOUS</u>					
10-36-36000 LAND & WATER CONSERVATION GRA	.00	.00	.00	.00	.0
10-36-36042 WORKFORCE REIMBURSEMENT	.00	.00	.00	.00	.0
10-36-36050 PD-HIDTA NEU REIMB	.00	.00	.00	.00	.0
10-36-36051 PD-REIMB OT (JAG)	.00	.00	.00	.00	.0
10-36-36052 PD-GRANT-HUBBARD FOUNDATION	.00	5,000.00	5,000.00	.00	100.0
10-36-36054 PD-ODWI	.00	.00	.00	.00	.0
10-36-36055 PD-HOMELAND SECURITY SHSG	.00	.00	.00	.00	.0
10-36-36056 VOR REIMB. OT DWI	.00	.00	.00	.00	.0
10-36-36057 NMHS GRANT	.00	.00	.00	.00	.0
10-36-36058 PD-MISC. REV 20-PT-RF-085 STEP	.00	.00	.00	.00	.0
10-36-36059 FD-GRANT-HUBBARD FOUNDATION	.00	.00	4,000.00	4,000.00	.0
10-36-36060 FD-DONATIONS FIRE FUND	.00	.00	.00	.00	.0
10-36-36061 MISC REV	704.19	5,142.78	10,000.00	4,857.22	51.4
10-36-36064 DONATIONS-FLOOD DISASTER	.00	.00	.00	.00	.0
10-36-36065 MISC DONATIONS	.00	.00	.00	.00	.0
10-36-36066 INSURANCE CLAIM	3,978.85	43,919.95	250,000.00	206,080.05	17.6
10-36-36067 PD-DONATION-COMPASS BANK	.00	.00	.00	.00	.0
10-36-36068 REFUND-WC INSURANCE	.00	.00	20,000.00	20,000.00	.0
10-36-36070 FD-REIMB-NM STATE FOREST	.00	2,042.00	.00	2,042.00	.0
10-36-36400 INTEREST INCOME	8,886.07	67,397.30	69,600.00	2,202.70	96.8
10-36-36510 SALE OF DECLARED SURPLUS	.00	1,194.76	20,000.00	18,805.24	6.0
10-36-36530 PARKS-HELICOPTER FEES	1,500.00	7,750.00	15,000.00	7,250.00	51.7
10-36-36531 PARKS-PAVILION RENTAL	80.00	406.46	500.00	93.54	81.3
10-36-36585 GRANT-EMNRD (FIRE)	.00	.00	.00	.00	.0
10-36-36600 FED GRANT-HZ5053.44	.00	.00	920,000.00	920,000.00	.0
10-36-36605 SAP GRANT-ALL AM PARK LIGHTING	.00	.00	.00	.00	.0
10-36-36606 FIRE STATION-HELICOPTER FEES	1,500.00	7,750.00	15,000.00	7,250.00	51.7
10-36-36607 GRANT-LITTER CONTROL & BEAUTY	.00	.00	.00	.00	.0
10-36-36608 KEEP RD BEAUTIFUL	.00	.00	.00	.00	.0
10-36-36610 GRANT-WALMART COMM INVOLVEME	.00	.00	.00	.00	.0
10-36-36620 DEPOSIT-ARTS & CRAFTS SHOW	.00	.00	.00	.00	.0
10-36-36630 FALL FEST	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	16,649.11	140,603.25	1,329,100.00	1,188,496.75	10.6

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>OTHER REVENUE SOURCES</u>					
10-37-37180 SMALL CITIES ASSISTANCE	90,000.00	90,000.00	90,000.00	.00	100.0
10-37-37210 BANK OF AMERICA REBATE	.00	.00	.00	.00	.0
10-37-37215 WRIGHT EXPRESS REBATE	( 227.56)	228.66	700.00	471.34	32.7
TOTAL OTHER REVENUE SOURCES	89,772.44	90,228.66	90,700.00	471.34	99.5
<u>SOURCE 38</u>					
10-38-38000 NM FINANCE AUTHORITY-CARES ACT	.00	.00	.00	.00	.0
TOTAL SOURCE 38	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	473,897.71	3,582,917.02	5,819,716.00	2,236,798.98	61.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
10-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL DEPARTMENT 40	.00	.00	.00	.00	.0

LEGISLATIVE

10-41-41010 ELECTED OFFICIALS	2,523.08	19,846.18	35,000.00	15,153.82	56.7
10-41-42010 F.I.C.A. - REGULAR	156.44	1,230.54	2,170.00	939.46	56.7
10-41-42020 F.I.C.A. - MEDICARE	36.58	287.73	508.00	220.27	56.6
10-41-42030 RETIREMENT CONTRIBUTIONS	.00	.00	.00	.00	.0
10-41-42050 INSURANCE	.00	.00	11,053.00	11,053.00	.0
10-41-42070 WC PREMIUM	.00	.00	672.00	672.00	.0
10-41-42080 WORKERS' COMPENSATION (ASSMN	.00	23.00	46.00	23.00	50.0
10-41-43010 TRAVEL-MILEAGE AND PER-DIEM	543.63	3,112.14	8,000.00	4,887.86	38.9
10-41-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-41-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-41-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-41-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-41-44040 EQUIPMENT MAINTENANCE & REPAI	.00	1,932.67	7,000.00	5,067.33	27.6
10-41-46010 MATERIALS & SUPPLIES	.00	27.39	600.00	572.61	4.6
10-41-46015 POSTAGE & SHIPPING	.00	.00	50.00	50.00	.0
10-41-46020 TRAINING	.00	.00	8,000.00	8,000.00	.0
10-41-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
10-41-46040 UNIFORMS	.00	.00	500.00	500.00	.0
10-41-46050 TELEPHONE & COMMUNICATIONS	50.00	400.00	500.00	100.00	80.0
10-41-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	8,530.74	9,000.00	469.26	94.8
10-41-47215 PERSONNEL COSTS	.00	.00	.00	.00	.0
10-41-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-41-47550 EMERGENCY - FLOOD	.00	.00	.00	.00	.0
10-41-48010 CAP OUT-FURNITURE	.00	.00	2,000.00	2,000.00	.0
10-41-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-41-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-41-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL LEGISLATIVE	3,309.73	35,390.39	85,099.00	49,708.61	41.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>MUNICIPAL COURTS DEPARTMENT</u>					
10-42-41010 ELECTED OFFICIALS	923.08	7,846.18	12,000.00	4,153.82	65.4
10-42-41020 FULL-TIME POSITIONS	6,240.00	49,016.91	83,200.00	34,183.09	58.9
10-42-41030 SAFETY/LONGEVITY PAY	.00	.00	1,200.00	1,200.00	.0
10-42-41040 PART-TIME POSITIONS-COURTS	1,975.00	11,387.50	26,000.00	14,612.50	43.8
10-42-41050 OVERTIME-COURTS	85.51	516.57	3,500.00	2,983.43	14.8
10-42-41055 STRAIGHT TIME/ OVERTIME	.00	.00	.00	.00	.0
10-42-42010 F.I.C.A. - REGULAR	581.18	4,343.51	6,497.00	2,153.49	66.9
10-42-42020 F.I.C.A. - MEDICARE	135.92	1,015.77	1,520.00	504.23	66.8
10-42-42030 RETIREMENT CONTRIBUTIONS	773.62	5,767.99	8,946.00	3,178.01	64.5
10-42-42040 CLOTHING ALLOWANCE	150.00	1,275.00	1,800.00	525.00	70.8
10-42-42050 INSURANCE	3,749.52	18,273.11	63,795.00	45,521.89	28.6
10-42-42070 WC PREMIUM	.00	.00	413.00	413.00	.0
10-42-42080 WORKERS' COMPENSATION (ASSMN	.00	18.40	37.00	18.60	49.7
10-42-43010 TRAVEL-MILEAGE OR PER-DIEM	.00	.00	2,800.00	2,800.00	.0
10-42-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-42-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-42-44010 BUILDING MAINTENANCE & REPAIR	50.00	1,104.34	2,600.00	1,495.66	42.5
10-42-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-42-44040 EQUIPMENT MAINTENANCE & REPAI	593.39	6,308.03	14,000.00	7,691.97	45.1
10-42-46010 MATERIALS & SUPPLIES	70.00	927.62	2,500.00	1,572.38	37.1
10-42-46015 POSTAGE & SHIPPING	.00	432.10	1,500.00	1,067.90	28.8
10-42-46020 TRAINING	.00	.00	1,415.00	1,415.00	.0
10-42-46025 MERCHANT FEES	90.45	644.92	2,500.00	1,855.08	25.8
10-42-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
10-42-46040 UNIFORMS	.00	82.66	800.00	717.34	10.3
10-42-46050 TELEPHONE & COMMUNICATIONS	138.07	1,138.26	1,400.00	261.74	81.3
10-42-46060 UTILITIES	148.30	1,450.93	2,600.00	1,149.07	55.8
10-42-46900 COURT OVERPAYMENTS	.00	.00	100.00	100.00	.0
10-42-47030 OTHER-ALTERNATE JUDGE	.00	.00	700.00	700.00	.0
10-42-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	650.00	650.00	.0
10-42-47210 CONTRACTS & PROFESSIONAL FEES	.00	973.13	1,500.00	526.87	64.9
10-42-47215 PERSONNEL COSTS	.00	346.78	400.00	53.22	86.7
10-42-47230 PUBLIC DEFENDER/ INTER	1,621.88	1,946.26	4,500.00	2,553.74	43.3
10-42-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-42-48010 CAP OUT-FURNITURE	.00	.00	2,500.00	2,500.00	.0
10-42-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	2,500.00	2,500.00	.0
10-42-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
10-42-49010 CAP IMP-OFFICE	.00	.00	.00	.00	.0
10-42-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-42-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL MUNICIPAL COURTS DEPARTM	17,325.92	114,815.97	253,873.00	139,057.03	45.2

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ELECTION DEPARTMENT</u>					
10-44-45025 OTHER-ELECTION WORKERS	.00	.00	.00	.00	.0
10-44-46010 SUPPLIES-ELECTION	.00	.00	.00	.00	.0
10-44-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
10-44-47240 AUTOMATED VOTING	.00	.00	.00	.00	.0
TOTAL ELECTION DEPARTMENT	.00	.00	.00	.00	.0
<u>GENERAL ADMINISTRATION</u>					
10-51-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
10-51-46015 POSTAGE & SHIPPING	.00	.00	.00	.00	.0
10-51-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
10-51-47210 CONTRACTS & PROFESSIONAL FEES	13,401.23	141,486.68	219,050.00	77,563.32	64.6
10-51-47230 FINANCIAL AUDIT SERVICES	2,715.50	12,655.29	30,000.00	17,344.71	42.2
10-51-47235 SPECIAL FINANCIAL AUDIT SERVE	218.94	546.94	.00	( 546.94)	.0
10-51-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-51-47250 OTHER-GRIEVANCE COSTS, OTHER L	.00	530.12	30,000.00	29,469.88	1.8
10-51-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL GENERAL ADMINISTRATION	16,335.67	155,219.03	279,050.00	123,830.97	55.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<b>FINANCE &amp; ADMINISTRATION</b>					
10-52-41020 FULL-TIME POSITIONS-FA	24,089.13	197,660.69	340,556.00	142,895.31	58.0
10-52-41030 SAFETY/LONGEVITY PAY	.00	2,420.00	3,020.00	600.00	80.1
10-52-41050 OVERTIME-FA	63.94	309.53	1,400.00	1,090.47	22.1
10-52-42010 F.I.C.A. - REGULAR	1,524.96	12,632.32	20,236.00	7,603.68	62.4
10-52-42020 F.I.C.A. - MEDICARE	356.64	2,954.34	4,733.00	1,778.66	62.4
10-52-42030 RETIREMENT CONTRIBUTIONS	2,601.64	21,059.33	34,266.00	13,206.67	61.5
10-52-42040 CLOTHING ALLOWANCE	442.50	3,352.50	5,130.00	1,777.50	65.4
10-52-42050 INSURANCE	6,357.19	54,199.44	93,074.00	38,874.56	58.2
10-52-42060 SUSPENSE ACCOUNT	.00	.00	.00	.00	.0
10-52-42070 WC PREMIUM	.00	.00	4,363.00	4,363.00	.0
10-52-42080 WORKERS' COMPENSATION (ASSMN	.00	25.99	56.00	30.01	46.4
10-52-43010 TRAVEL-MILEAGE OR PER-DIEM	.00	425.75	12,000.00	11,574.25	3.6
10-52-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-52-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-52-44010 BUILDING MAINTENANCE & REPAIR	17.62	2,227.92	15,000.00	12,772.08	14.9
10-52-44030 VEHICLE MAINTENANCE & REPAIR	.00	59.40	1,000.00	940.60	5.9
10-52-44040 EQUIPMENT MAINTENANCE & REPAI	1,279.27	16,491.63	51,000.00	34,508.37	32.3
10-52-46010 MATERIALS & SUPPLIES	190.00	12,478.53	24,000.00	11,521.47	52.0
10-52-46015 POSTAGE & SHIPPING	1,500.00	2,165.24	3,000.00	834.76	72.2
10-52-46020 TRAINING	.00	5,165.68	9,600.00	4,434.32	53.8
10-52-46025 MERCHANT FEES	542.70	3,917.70	8,000.00	4,082.30	49.0
10-52-46030 VEHICLE FUEL COSTS	.00	279.44	1,550.00	1,270.56	18.0
10-52-46040 UNIFORMS	.00	.00	.00	.00	.0
10-52-46050 TELEPHONE & COMMUNICATIONS	391.50	2,441.02	7,500.00	5,058.98	32.6
10-52-46060 UTILITIES	473.22	3,627.69	8,000.00	4,372.31	45.4
10-52-46900 REFUND-OVERPAYMENT FRANCHISE	.00	.00	.00	.00	.0
10-52-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	2,320.52	8,500.00	6,179.48	27.3
10-52-47090 INSURANCE	.00	93,590.10	137,000.00	43,409.90	68.3
10-52-47110 REAPPRAISAL FEES	108.64	2,284.75	3,000.00	715.25	76.2
10-52-47210 CONTRACTS & PROFESSIONAL FEES	.00	7,998.61	30,000.00	22,001.39	26.7
10-52-47215 PERSONNEL COSTS	.00	243.06	400.00	156.94	60.8
10-52-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-52-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-52-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-52-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-52-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
10-52-48070 CAP OUT-IMPROVEMENTS	.00	.00	.00	.00	.0
10-52-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-52-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
<b>TOTAL FINANCE &amp; ADMINISTRATION</b>	<b>39,938.95</b>	<b>450,331.18</b>	<b>826,384.00</b>	<b>376,052.82</b>	<b>54.5</b>

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS &amp; RECREATION</u>					
10-60-41020 FULL-TIME POSITIONS	5,204.80	43,558.50	103,567.00	60,008.50	42.1
10-60-41030 SAFETY/LONGEVITY PAY	.00	1,200.00	1,200.00	.00	100.0
10-60-41040 PART-TIME MAINTENANCE	.00	.00	.00	.00	.0
10-60-41050 OVERTIME-PARKS	.00	1,246.61	2,500.00	1,253.39	49.9
10-60-42010 F.I.C.A. - REGULAR	335.10	2,951.57	6,373.00	3,421.43	46.3
10-60-42020 F.I.C.A. - MEDICARE	78.38	690.35	1,491.00	800.65	46.3
10-60-42030 RETIREMENT CONTRIBUTIONS	562.12	4,685.73	10,608.00	5,922.27	44.2
10-60-42040 CLOTHING ALLOWANCE	350.00	1,750.00	3,600.00	1,850.00	48.6
10-60-42041 UNIFORMS MAINTENANCE	.00	.00	.00	.00	.0
10-60-42050 INSURANCE	1,950.58	15,531.92	56,279.00	40,747.08	27.6
10-60-42070 WC PREMIUM	.00	.00	4,000.00	4,000.00	.0
10-60-42080 WORKERS' COMPENSATION (ASSMN	.00	9.20	28.00	18.80	32.9
10-60-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-60-44010 BUILDING MAINTENANCE & REPAIR	.00	111.13	2,000.00	1,888.87	5.6
10-60-44030 VEHICLE MAINTENANCE & REPAIR	.00	127.56	1,500.00	1,372.44	8.5
10-60-44040 EQUIPMENT MAINTENANCE & REPAI	.00	2,322.39	2,500.00	177.61	92.9
10-60-44900 PARK IMPROVEMENT	.00	2,548.00	12,000.00	9,452.00	21.2
10-60-46010 MATERIALS & SUPPLIES	165.28	3,897.10	10,000.00	6,102.90	39.0
10-60-46015 POSTAGE & SHIPPING	.00	5.95	.00	5.95)	.0
10-60-46020 TRAINING	.00	.00	1,571.00	1,571.00	.0
10-60-46030 VEHICLE FUEL COSTS	291.46	1,336.01	3,000.00	1,663.99	44.5
10-60-46040 UNIFORMS	.00	.00	.00	.00	.0
10-60-46050 TELEPHONE & COMMUNICATIONS	36.03	215.56	1,220.00	1,004.44	17.7
10-60-46060 UTILITIES	245.09	6,652.17	20,000.00	13,347.83	33.3
10-60-46070 KEEP RUIDOSODOWNS BEAUTIFUL	.00	.00	.00	.00	.0
10-60-46080 OTHER-SKATEBOARD PARK	.00	.00	.00	.00	.0
10-60-46910 REFUND-DEPOSIT	.00	.00	.00	.00	.0
10-60-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
10-60-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-60-47215 PERSONNEL COSTS	.00	246.66	300.00	53.34	82.2
10-60-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-60-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-60-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
10-60-48050 CAP OUT-EQUIPMENT	.00	38,885.34	48,000.00	9,114.66	81.0
10-60-48070 CAP OUT-IMP (WATER CANNON)	.00	.00	.00	.00	.0
10-60-49010 CAP IMP-ALL AMERICAN PARK	.00	.00	.00	.00	.0
10-60-49020 CAP IMP-SKATE PARK	.00	.00	.00	.00	.0
10-60-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-60-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
 TOTAL PARKS & RECREATION	 9,218.84	 127,971.75	 291,737.00	 163,765.25	 43.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SENIOR CITIZENS DEPARTMENT</u>					
10-61-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-61-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-61-44040 EQUIPMENT MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-61-46060 UTILITIES	320.17	2,838.98	5,000.00	2,161.02	56.8
10-61-47070 ACTIVITIES	.00	.00	.00	.00	.0
10-61-47170 FUNDS FOR VAN DRIVER	.00	.00	.00	.00	.0
10-61-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-61-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-61-49999 DEPRECIATION	.00	.00	.00	.00	.0
 TOTAL SENIOR CITIZENS DEPARTME	 320.17	 2,838.98	 5,000.00	 2,161.02	 56.8

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<b>POLICE DEPARTMENT</b>					
10-62-41020 FULL-TIME POSITIONS-PD	31,163.13	313,303.85	597,948.00	284,644.15	52.4
10-62-41030 SAFETY/LONGEVITY PAY	.00	3,920.00	4,860.00	940.00	80.7
10-62-41040 TEMPORARY POSITIONS-PD	.00	.00	.00	.00	.0
10-62-41050 OVERTIME-PD	5,628.76	40,606.11	50,100.00	9,493.89	81.1
10-62-42010 F.I.C.A. - REGULAR	2,360.91	22,883.40	38,473.00	15,589.60	59.5
10-62-42020 F.I.C.A. - MEDICARE	552.15	5,351.75	8,998.00	3,646.25	59.5
10-62-42030 RETIREMENT CONTRIBUTIONS	5,615.15	51,729.91	99,506.00	47,776.09	52.0
10-62-42040 CLOTHING ALLOWANCE	855.00	7,465.00	14,580.00	7,115.00	51.2
10-62-42050 INSURANCE	10,959.44	101,537.56	230,714.00	129,176.44	44.0
10-62-42070 WC PREMIUM	.00	.00	22,213.00	22,213.00	.0
10-62-42080 WORKERS' COMPENSATION (ASSMN	.00	36.34	97.00	60.66	37.5
10-62-43010 TRAVEL-MILEAGE OR PER-DEIM	.00	.00	6,000.00	6,000.00	.0
10-62-43020 TRAVEL-PER DIEM	.00	1,500.00	.00	1,500.00	.0
10-62-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-62-44010 BUILDING MAINTENANCE & REPAIR	50.00	1,521.80	10,000.00	8,478.20	15.2
10-62-44030 VEHICLE MAINTENANCE & REPAIR	36.00	1,961.74	12,000.00	10,038.26	16.4
10-62-44040 EQUIPMENT MAINTENANCE & REPAI	198.30	11,165.70	15,000.00	3,834.30	74.4
10-62-46010 MATERIALS & SUPPLIES	70.00	3,071.11	10,000.00	6,928.89	30.7
10-62-46015 POSTAGE & SHIPPING	.00	427.77	750.00	322.23	57.0
10-62-46020 TRAINING	.00	632.00	9,568.00	8,936.00	6.6
10-62-46030 VEHICLE FUEL COSTS	2,126.05	19,118.86	50,000.00	30,881.14	38.2
10-62-46040 UNIFORMS	.00	.00	3,000.00	3,000.00	.0
10-62-46050 TELEPHONE & COMMUNICATIONS	594.90	3,967.68	7,000.00	3,032.32	56.7
10-62-46060 UTILITIES	605.65	4,501.80	12,000.00	7,498.20	37.5
10-62-46070 OTHER-AMMUNITION	.00	.00	5,000.00	5,000.00	.0
10-62-46071 OTHER-ASSORTED WEAPONS	.00	.00	.00	.00	.0
10-62-46075 OTHER-SHOTGUN RACKS	.00	.00	.00	.00	.0
10-62-46080 OTHER-RESERVE OFFICERS	.00	.00	.00	.00	.0
10-62-46085 OTHER-LCSTF	.00	.00	.00	.00	.0
10-62-46090 CANINE	.00	.00	.00	.00	.0
10-62-47010 OTHER-HUBBARD FOUNDATION GRA	.00	.00	.00	.00	.0
10-62-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	1,025.00	400.00	625.00	256.3
10-62-47071 NEW EQUIPMENT FOR VEHICLE	.00	.00	17,000.00	17,000.00	.0
10-62-47090 INSURANCE	.00	37,342.00	37,342.00	.00	100.0
10-62-47170 RUIDOSO DOWNS/RUIDOSO DISPATC	.00	52,544.55	286,132.00	233,587.45	18.4
10-62-47210 CONTRACTS & PROFESSIONAL FEES	.00	420.06	1,000.00	579.94	42.0
10-62-47215 PERSONNEL COSTS	.00	568.64	3,000.00	2,431.36	19.0
10-62-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-62-47550 EMERGENCY - FLOOD	.00	.00	.00	.00	.0
10-62-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-62-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-62-48021 CAP OUT-MAG LITES	.00	.00	.00	.00	.0
10-62-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-62-48035 CAP OUT-CAMERAS	.00	8,379.90	40,000.00	31,620.10	21.0
10-62-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
10-62-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-62-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
<b>TOTAL POLICE DEPARTMENT</b>	<b>60,815.44</b>	<b>694,982.53</b>	<b>1,592,681.00</b>	<b>897,698.47</b>	<b>43.6</b>

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ANIMAL CONTROL</u>					
10-63-41020 FULL-TIME POSITIONS	3,469.80	36,951.81	89,805.00	52,853.19	41.2
10-63-41030 SAFETY/LONGEVITY PAY	.00	700.00	1,000.00	300.00	70.0
10-63-41050 OVERTIME	32.53	171.73	200.00	28.27	85.9
10-63-42010 F.I.C.A. - REGULAR	224.89	2,421.76	5,323.00	2,901.24	45.5
10-63-42020 F.I.C.A. - MEDICARE	52.60	566.41	1,245.00	678.59	45.5
10-63-42030 RETIREMENT CONTRIBUTIONS	374.74	3,709.12	9,060.00	5,350.88	40.9
10-63-42040 CLOTHING ALLOWANCE	125.00	1,250.00	3,000.00	1,750.00	41.7
10-63-42050 INSURANCE	975.29	13,609.62	44,752.00	31,142.38	30.4
10-63-42070 WC PREMIUM	.00	.00	3,744.00	3,744.00	.0
10-63-42080 WORKERS' COMPENSATION (ASSMN)	.00	4.60	19.00	14.40	24.2
10-63-43020 TRAVEL-MILEAGE AND PER DIEM	.00	.00	1,000.00	1,000.00	.0
10-63-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-63-44030 VEHICLE MAINTENANCE & REPAIR	.00	345.00	2,500.00	2,155.00	13.8
10-63-44040 EQUIPMENT MAINTENANCE & REPAIR	.00	183.62	500.00	316.38	36.7
10-63-46010 MATERIALS & SUPPLIES	.00	562.74	1,000.00	437.26	56.3
10-63-46015 POSTAGE & SHIPPING	.00	.00	250.00	250.00	.0
10-63-46020 TRAINING	.00	.00	1,500.00	1,500.00	.0
10-63-46030 VEHICLE FUEL COSTS	261.00	2,038.03	6,000.00	3,961.97	34.0
10-63-46040 UNIFORMS	.00	.00	500.00	500.00	.0
10-63-46050 TELEPHONE & COMMUNICATIONS	96.58	372.56	1,200.00	827.44	31.1
10-63-46060 UTILITIES	.00	.00	.00	.00	.0
10-63-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	200.00	200.00	.0
10-63-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-63-47215 PERSONNEL COSTS	.00	.00	500.00	500.00	.0
10-63-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-63-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-63-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-63-48050 CAP OUT-EQUIPMENT	.00	.00	7,300.00	7,300.00	.0
10-63-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-63-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
 TOTAL ANIMAL CONTROL	 5,612.43	 62,887.00	 180,598.00	 117,711.00	 34.8

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CODE ENFORCEMENT</u>					
10-64-41020 FULL-TIME POSITIONS	.00	.00	.00	.00	.0
10-64-41030 SAFETY/LONGEVITY PAY	.00	.00	.00	.00	.0
10-64-41050 OVERTIME	.00	.00	.00	.00	.0
10-64-42010 F.I.C.A. - REGULAR	.00	.00	.00	.00	.0
10-64-42020 F.I.C.A. - MEDICARE	.00	.00	.00	.00	.0
10-64-42030 RETIREMENT CONTRIBUTIONS	.00	.00	.00	.00	.0
10-64-42040 CLOTHING ALLOWANCE	.00	.00	.00	.00	.0
10-64-42050 INSURANCE	.00	.00	.00	.00	.0
10-64-42070 WC PREMIUM	.00	.00	.00	.00	.0
10-64-42080 WORKERS' COMPENSATION (ASSMN	.00	.00	.00	.00	.0
10-64-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-64-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-64-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-64-44035 OTHER-TOW ABANDONED VEHICLES	.00	.00	.00	.00	.0
10-64-44040 EQUIPMENT MAINTENANCE & REPAI	.00	.00	.00	.00	.0
10-64-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
10-64-46015 POSTAGE & SHIPPING	.00	.00	.00	.00	.0
10-64-46020 TRAINING	.00	.00	.00	.00	.0
10-64-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
10-64-46040 UNIFORMS	.00	.00	.00	.00	.0
10-64-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
10-64-46060 UTILITIES	.00	.00	.00	.00	.0
10-64-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
10-64-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-64-47215 PERSONNEL COSTS	.00	.00	.00	.00	.0
10-64-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-64-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-64-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-64-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
10-64-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-64-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL CODE ENFORCEMENT	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PLANNING &amp; ZONING</u>					
10-65-41020 FULL-TIME POSITIONS	6,598.92	55,718.01	95,890.00	40,171.99	58.1
10-65-41030 SAFETY/LONGEVITY PAY	.00	600.00	900.00	300.00	66.7
10-65-41050 OVERTIME	116.25	242.97	100.00	( 142.97)	243.0
10-65-42010 F.I.C.A. - REGULAR	425.65	3,581.17	5,676.00	2,094.83	63.1
10-65-42020 F.I.C.A. - MEDICARE	99.54	837.54	1,328.00	490.46	63.1
10-65-42030 RETIREMENT CONTRIBUTIONS	712.68	5,997.89	9,778.00	3,780.11	61.3
10-65-42040 CLOTHING ALLOWANCE	150.00	1,200.00	1,800.00	600.00	66.7
10-65-42050 INSURANCE	971.78	7,828.78	11,595.00	3,766.22	67.5
10-65-42070 WC PREMIUM	.00	.00	1,090.00	1,090.00	.0
10-65-42080 WORKERS' COMPENSATION (ASSMN	.00	9.20	19.00	9.80	48.4
10-65-43010 TRAVEL-MILEAGE OR PER DIEM	.00	.00	1,000.00	1,000.00	.0
10-65-43015 REFUND-POLITICAL SIGN DEPOSITS	.00	350.00	200.00	( 150.00)	175.0
10-65-43020 TRAVEL-MILEAGE AND PER DIEM	.00	.00	.00	.00	.0
10-65-44010 BUILDING MAINTENANCE & REPAIR	17.61	352.61	100.00	( 252.61)	352.6
10-65-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-65-44040 EQUIPMENT MAINTENANCE & REPAI	219.34	3,012.56	6,400.00	3,387.44	47.1
10-65-46010 MATERIALS & SUPPLIES	.00	1,274.92	3,300.00	2,025.08	38.6
10-65-46015 POSTAGE & SHIPPING	.00	462.40	700.00	237.60	66.1
10-65-46020 TRAINING	.00	980.42	1,215.00	234.58	80.7
10-65-46030 VEHICLE FUEL COSTS	.00	.00	200.00	200.00	.0
10-65-46040 UNIFORMS	.00	.00	.00	.00	.0
10-65-46050 TELEPHONE & COMMUNICATIONS	148.09	743.41	1,500.00	756.59	49.6
10-65-46060 UTILITIES	183.00	1,436.88	3,000.00	1,563.12	47.9
10-65-46910 REFUND-P & Z REQUESTS	.00	.00	.00	.00	.0
10-65-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	737.49	1,000.00	262.51	73.8
10-65-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-65-47215 PERSONNEL COSTS	.00	.00	200.00	200.00	.0
10-65-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-65-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-65-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-65-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-65-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
10-65-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-65-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
 TOTAL PLANNING & ZONING	 9,642.86	 85,366.25	 146,991.00	 61,624.75	 58.1

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STREET DEPARTMENT</u>					
10-71-41020 FULL-TIME POSITIONS-STREET	11,276.01	101,794.36	181,729.00	79,934.64	56.0
10-71-41030 SAFETY/LONGEVITY PAY	.00	1,550.00	1,950.00	400.00	79.5
10-71-41050 OVERTIME-STREET	265.01	910.21	4,500.00	3,589.79	20.2
10-71-42010 F.I.C.A. - REGULAR	734.59	6,620.56	11,020.00	4,399.44	60.1
10-71-42020 F.I.C.A. - MEDICARE	171.80	1,548.41	2,577.00	1,028.59	60.1
10-71-42030 RETIREMENT CONTRIBUTIONS	1,217.80	10,732.20	18,548.00	7,815.80	57.9
10-71-42040 CLOTHING ALLOWANCE	325.00	2,800.00	5,400.00	2,600.00	51.9
10-71-42041 UNIFORM MAINTENANCE	.00	.00	.00	.00	.0
10-71-42050 INSURANCE	3,334.19	30,337.22	61,704.00	31,366.78	49.2
10-71-42070 WC PREMIUM	.00	.00	13,242.00	13,242.00	.0
10-71-42080 WORKERS' COMPENSATION (ASSMN	.00	16.10	42.00	25.90	38.3
10-71-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
10-71-43020 TRAVEL-MILEAGE AND PER DIEM	.00	.00	.00	.00	.0
10-71-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-71-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
10-71-44030 VEHICLE MAINTENANCE & REPAIR	( 43.32)	1,416.63	23,000.00	21,583.37	6.2
10-71-44040 EQUIPMENT MAINTENANCE & REPAIR	1,194.40	9,282.19	20,000.00	10,717.81	46.4
10-71-44060 OTHER-TRAFFIC LIGHT & SIGN MAI	.00	781.95	6,000.00	5,218.05	13.0
10-71-46010 MATERIALS & SUPPLIES	165.28	10,293.39	34,000.00	23,706.61	30.3
10-71-46015 POSTAGE & SHIPPING	.00	.00	250.00	250.00	.0
10-71-46020 TRAINING	.00	.00	1,213.00	1,213.00	.0
10-71-46030 VEHICLE FUEL COSTS	1,791.31	7,518.80	10,000.00	2,481.20	75.2
10-71-46040 UNIFORMS	.00	.00	.00	.00	.0
10-71-46050 TELEPHONE & COMMUNICATIONS	41.12	246.65	500.00	253.35	49.3
10-71-46060 UTILITIES	1,156.74	18,157.54	35,000.00	16,842.46	51.9
10-71-46910 REFUND-STREET CUT	.00	.00	.00	.00	.0
10-71-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	49.11	1,500.00	1,450.89	3.3
10-71-47090 INSURANCE	.00	.00	.00	.00	.0
10-71-47210 CONTRACTS & PROFESSIONAL FEES	( 134.17)	29.83	10,000.00	9,970.17	.3
10-71-47215 PERSONNEL COSTS	.00	369.80	500.00	130.20	74.0
10-71-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-71-47550 EMERGENCY - FLOOD	.00	.00	.00	.00	.0
10-71-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-71-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-71-48021 LEASE PAYMENT FOR PAVER	.00	.00	.00	.00	.0
10-71-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-71-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
10-71-48045 CAP OUT-STREET LIGHT POLES	.00	.00	10,000.00	10,000.00	.0
10-71-48046 STREET IMPROVEMENTS	.00	.00	.00	.00	.0
10-71-48050 CAP OUT-EQUIPMENT	8,535.00	12,514.48	20,000.00	7,485.52	62.6
10-71-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-71-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
 TOTAL STREET DEPARTMENT	 30,030.76	 216,969.43	 472,675.00	 255,705.57	 45.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GARAGE</u>					
10-72-41020 FULL-TIME POSITIONS	4,938.40	41,553.06	70,746.00	29,192.94	58.7
10-72-41030 SAFETY/LONGEVITY PAY	.00	600.00	1,000.00	400.00	60.0
10-72-41050 OVERTIME-MECHANIC	.00	120.00	2,500.00	2,380.00	4.8
10-72-42010 F.I.C.A. - REGULAR	460.12	3,936.21	4,853.00	916.79	81.1
10-72-42020 F.I.C.A. - MEDICARE	73.36	625.19	1,135.00	509.81	55.1
10-72-42030 RETIREMENT CONTRIBUTIONS	533.36	4,462.93	7,023.00	2,560.07	63.6
10-72-42040 CLOTHING ALLOWANCE	150.00	1,200.00	1,200.00	.00	100.0
10-72-42041 UNIFORM MAINTENANCE	.00	.00	.00	.00	.0
10-72-42050 INSURANCE	1,893.49	14,223.41	22,513.00	8,289.59	63.2
10-72-42070 WC PREMIUM	.00	.00	2,902.00	2,902.00	.0
10-72-42080 WORKERS' COMPENSATION (ASSMN	.00	6.90	10.00	3.10	69.0
10-72-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
10-72-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
10-72-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-72-44010 BUILDING MAINTENANCE & REPAIR	135.23	332.60	2,500.00	2,167.40	13.3
10-72-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	500.00	500.00	.0
10-72-44040 EQUIPMENT MAINTENANCE & REPAI	.00	1,401.13	1,500.00	98.87	93.4
10-72-46010 MATERIALS & SUPPLIES	500.53	10,354.53	17,000.00	6,645.47	60.9
10-72-46015 POSTAGE & SHIPPING	.00	.00	.00	.00	.0
10-72-46020 TRAINING	.00	.00	857.00	857.00	.0
10-72-46030 VEHICLE FUEL COSTS	157.27	817.47	5,000.00	4,182.53	16.4
10-72-46040 UNIFORMS	.00	.00	.00	.00	.0
10-72-46050 TELEPHONE & COMMUNICATIONS	25.00	200.00	.00	200.00)	.0
10-72-46060 UTILITIES	1,303.33	7,576.46	14,000.00	6,423.54	54.1
10-72-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
10-72-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-72-47215 PERSONNEL COSTS	.00	123.39	200.00	76.61	61.7
10-72-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-72-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
10-72-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-72-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-72-48050 CAP OUT-EQUIPMENT	.00	15,000.00	23,000.00	8,000.00	65.2
10-72-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
10-72-49010 CAP IMP-OFFICE & TRAINING ROOM	.00	.00	.00	.00	.0
10-72-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-72-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL GARAGE	10,170.09	102,533.28	178,439.00	75,905.72	57.5

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<b>FIRE DEPARTMENT</b>					
10-73-41020 FULL-TIME POSITIONS	4,346.84	37,548.15	57,533.00	19,984.85	65.3
10-73-41030 SAFETY/LONGEVITY PAY	.00	40.00	420.00	380.00	9.5
10-73-41040 PART-TIME FIRE EMPLOYEES	.00	4,531.14	34,435.00	29,903.86	13.2
10-73-41050 OVERTIME-FIRE	713.94	7,799.28	3,000.00	4,799.28	260.0
10-73-42010 F.I.C.A. - REGULAR	321.75	3,121.71	6,199.00	3,077.29	50.4
10-73-42020 F.I.C.A. - MEDICARE	75.25	730.09	1,450.00	719.91	50.4
10-73-42030 RETIREMENT CONTRIBUTIONS	981.37	5,754.85	12,715.00	6,960.15	45.3
10-73-42040 CLOTHING ALLOWANCE	128.75	780.00	1,523.00	743.00	51.2
10-73-42050 INSURANCE	2,875.15	12,019.53	12,626.00	606.47	95.2
10-73-42070 WC PREMIUM	.00	.00	4,639.00	4,639.00	.0
10-73-42080 WORKERS' COMPENSATION (ASSMN	.00	7.14	19.00	11.86	37.6
10-73-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
10-73-43020 TRAVEL-MILEAGE AND PER DIEM	.00	.00	.00	.00	.0
10-73-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
10-73-44010 BUILDING MAINTENANCE & REPAIR	.00	2,786.55	.00	2,786.55	.0
10-73-44030 VEHICLE MAINTENANCE & REPAIR	.00	45.10	500.00	454.90	9.0
10-73-44040 EQUIPMENT MAINTENANCE & REPAI	.00	453.40	.00	453.40	.0
10-73-46010 MATERIALS & SUPPLIES	.00	2,651.92	1,500.00	1,151.92	176.8
10-73-46015 POSTAGE & SHIPPING	.00	4.83	50.00	45.17	9.7
10-73-46020 TRAINING	.00	.00	.00	.00	.0
10-73-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
10-73-46040 UNIFORMS	.00	.00	.00	.00	.0
10-73-46050 TELEPHONE & COMMUNICATIONS	138.65	1,115.59	1,000.00	115.59	111.6
10-73-46060 UTILITIES	990.19	5,370.76	13,000.00	7,629.24	41.3
10-73-46080 OTHER-VOLUNTEER REIMB	.00	.00	.00	.00	.0
10-73-46085 OTHER-DONATIONS TO FIRE DEPT	.00	.00	.00	.00	.0
10-73-47060 DUES/SUBSCRIPTIONS/FEES-FIRE	.00	3,175.40	4,500.00	1,324.60	70.6
10-73-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
10-73-47215 PERSONNEL COSTS	.00	243.06	200.00	43.06	121.5
10-73-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-73-47550 EMERGENCY - FLOOD	.00	.00	.00	.00	.0
10-73-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
10-73-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
10-73-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
10-73-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
10-73-49030 FIRE STATION	.00	.00	.00	.00	.0
10-73-49999 DEPRECIATION	.00	.00	.00	.00	.0
10-73-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
<b>TOTAL FIRE DEPARTMENT</b>	<b>10,571.89</b>	<b>88,178.50</b>	<b>155,309.00</b>	<b>67,130.50</b>	<b>56.8</b>

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>NONDEPARTMENTAL-1</u>					
10-80-41050 STATE ADMIN FEE'S GRT DIST	3,986.76	36,430.96	45,000.00	8,569.04	81.0
10-80-47010 LITTER CONTROL & BEAUTIFICATIO	.00	.00	.00	.00	.0
10-80-47011 KRDB TRAVEL PER-DIEM	.00	.00	.00	.00	.0
10-80-47012 KRDB TRAINING	.00	.00	.00	.00	.0
10-80-47013 KRDB MATERIALS AND SUPPLIES	.00	.00	.00	.00	.0
10-80-47014 KRDB ADVERTISING/DUES	.00	.00	.00	.00	.0
10-80-47015 HUMANE SOCIETY	.00	13,500.00	27,000.00	13,500.00	50.0
10-80-47025 FOUNDERS DAY CELEBRATION	.00	.00	.00	.00	.0
10-80-47029 JUVENILE JUSTICE SERVICES	.00	.00	10,000.00	10,000.00	.0
10-80-47030 BOYS & GIRLS CLUB	.00	.00	7,000.00	7,000.00	.0
10-80-47031 ZIA THERAPY CENTER, INC.	.00	10,028.02	28,000.00	17,971.98	35.8
10-80-47035 ECONOMIC DEV BOARD EXP	.00	.00	.00	.00	.0
10-80-47036 PLANNING GRANT CASH MATCH	.00	.00	.00	.00	.0
10-80-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-80-49010 FED GRANT-HZ5053.44	.00	.00	920,000.00	920,000.00	.0
TOTAL NONDEPARTMENTAL-1	3,986.76	59,958.98	1,037,000.00	977,041.02	5.8
<u>NONDEPARTMENTAL-2</u>					
10-81-47020 VOR LIBRARY	( 2,500.00)	( 2,500.00)	5,000.00	7,500.00	( 50.0)
10-81-47021 VOR E911	.00	.00	.00	.00	.0
10-81-47025 SAFETY INCENTIVES/AWARDS	.00	3,724.92	7,500.00	3,775.08	49.7
10-81-47035 HAZMAT REIMBURSEMENT	.00	.00	.00	.00	.0
10-81-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
10-81-49030 INSURANCE CLAIM REPAIRS	.00	232,110.06	250,000.00	17,889.94	92.8
TOTAL NONDEPARTMENTAL-2	( 2,500.00)	233,334.98	262,500.00	29,165.02	88.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS</u>					
10-99-39021 TRSF LOCAL GOVT CORRECTIONS	.00	( 8,650.96)	( 28,600.00)	( 19,949.04)	( 30.3)
10-99-39025 TRSF	.00	.00	.00	.00	.0
10-99-39027 TRSF STREET IMPROVEMENT	.00	.00	.00	.00	.0
10-99-39028 TRSF FROM GAS TAX	.00	( 2,313.86)	( 9,873.00)	( 7,559.14)	( 23.4)
10-99-39030 TRSF FROM FEMA	.00	.00	.00	.00	.0
10-99-39034 TRSF 10% ADMIN FEES	.00	( 20,314.72)	( 35,000.00)	( 14,685.28)	( 58.0)
10-99-39040 TRSF GO BOND	.00	.00	.00	.00	.0
10-99-39042 TRSF	.00	.00	( 800,000.00)	( 800,000.00)	.0
10-99-39046 TRSF FROM KRDB	.00	.00	.00	.00	.0
10-99-41525 TRSF TO TRANSIT	.00	.00	.00	.00	.0
10-99-41527 TRSF TO STREET IMPROVEMENTS	.00	.00	.00	.00	.0
10-99-41530 TRSF TO EMF	.00	.00	50,000.00	50,000.00	.0
10-99-41535 TEMP TRSF-MUSEUM FUND	.00	.00	.00	.00	.0
10-99-41536 TRSF MUSEUM	8,165.00	24,495.00	32,659.00	8,164.00	75.0
10-99-41540 TRSF DEBT FUND	.00	.00	.00	.00	.0
10-99-41554 TRSF TO SOLID WASTE COM ROLL O	.00	.00	15,000.00	15,000.00	.0
10-99-41641 TRSF TO CDBG	.00	.00	800,000.00	800,000.00	.0
10-99-49046 TRNF	.00	.00	.00	.00	.0
10-99-49050 TRS TO 55	.00	.00	.00	.00	.0
10-99-49053 TRF	.00	.00	.00	.00	.0
 TOTAL TRANSFERS	 8,165.00	 ( 6,784.54)	 24,186.00	 30,970.54	 ( 28.1)
 TOTAL FUND EXPENDITURES	 222,944.51	 2,423,993.71	 5,791,522.00	 3,367,528.29	 41.9
 NET REVENUE OVER EXPENDITURES	 250,953.20	 1,158,923.31	 28,194.00	 ( 1,130,729.31)	 4110.5

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

POLICE GRANTS

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>REVENUE</u>					
20-30-36050 LCSO-NEU OT	.00	.00	.00	.00	.0
20-30-36052 PD-LEA COUNTY OT	.00	.00	450.00	450.00	.0
20-30-36054 STEP NM DOT OT	.00	1,347.25	6,500.00	5,152.75	20.7
20-30-36055 RD RACETRACK & CASINO	7,662.50	7,662.50	.00	7,662.50)	.0
20-30-36056 VOR REIMB. OT DWI	837.61	2,552.75	5,000.00	2,447.25	51.1
20-30-36057 LER PD DFA	.00	150,000.00	150,000.00	.00	100.0
20-30-36058 LERF PD DFA	.00	.00	.00	.00	.0
TOTAL REVENUE	<u>8,500.11</u>	<u>161,562.50</u>	<u>161,950.00</u>	<u>387.50</u>	<u>99.8</u>
 TOTAL FUND REVENUE	 <u>8,500.11</u>	 <u>161,562.50</u>	 <u>161,950.00</u>	 <u>387.50</u>	 <u>99.8</u>

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

POLICE GRANTS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
20-40-41050 OVERTIME STEP NM DOT	.00	1,347.25	6,500.00	5,152.75	20.7
20-40-41051 OVERTIME-VOR	837.61	1,889.23	5,000.00	3,110.77	37.8
20-40-41052 OVERTIME-LCSO-NEU	.00	.00	.00	.00	.0
20-40-41055 RD RACETRACK & CASINO PD OT	.00	.00	.00	.00	.0
20-40-47010 PD-LEA COUNTY OT	.00	.00	450.00	450.00	.0
20-40-47011 LER PD SALARIES	.00	.00	150,000.00	150,000.00	.0
20-40-47012 LERF PD SALARIES	.00	.00	.00	.00	.0
20-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	837.61	3,236.48	161,950.00	158,713.52	2.0
<u>TRANSFERS</u>					
20-99-31010 TRSF GENERAL FUND MATCH	.00	.00	.00	.00	.0
20-99-31039 TRSF LODGERS TAX	.00	.00	.00	.00	.0
20-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	837.61	3,236.48	161,950.00	158,713.52	2.0
NET REVENUE OVER EXPENDITURES	7,662.50	158,326.02	.00	( 158,326.02)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LOCAL GOVERNMENT CORRECTION

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>REVENUE</u>					
21-30-35050 CORRECTION FEES	713.79	6,293.79	25,000.00	18,706.21	25.2
21-30-35090 COURT OVERPAYMENTS	.00	.00	.00	.00	.0
21-30-36061 MISC REV	.00	.00	.00	.00	.0
TOTAL REVENUE	713.79	6,293.79	25,000.00	18,706.21	25.2
TOTAL FUND REVENUE	713.79	6,293.79	25,000.00	18,706.21	25.2

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LOCAL GOVERNMENT CORRECTION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
21-40-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
21-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
21-40-44040 EQUIPMENT MAINTENANCE & REPAIR	88.68	1,058.83	10,000.00	8,941.17	10.6
21-40-46010 MATERIALS & SUPPLIES	.00	.00	3,000.00	3,000.00	.0
21-40-47185 JAIL EXPENSE-CARE OF PRISONERS	.00	699.00	3,000.00	2,301.00	23.3
21-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	935.00	20,000.00	19,065.00	4.7
21-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
21-40-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
21-40-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
21-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
21-40-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
21-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
21-40-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
21-40-48070 CAP OUT-IMPROVEMENTS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	88.68	2,692.83	36,000.00	33,307.17	7.5
<u>DEPARTMENT 99</u>					
21-99-41510 TRSF TO GENERAL FUND	.00	8,650.96	28,600.00	19,949.04	30.3
TOTAL DEPARTMENT 99	.00	8,650.96	28,600.00	19,949.04	30.3
TOTAL FUND EXPENDITURES	88.68	11,343.79	64,600.00	53,256.21	17.6
NET REVENUE OVER EXPENDITURES	625.11	( 5,050.00)	( 39,600.00)	( 34,550.00)	( 12.8)

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

JUDICIAL EDUCATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
22-30-35080 JUDICIAL EDUCATION FEES	115.00	950.00	5,400.00	4,450.00	17.6
TOTAL REVENUE	115.00	950.00	5,400.00	4,450.00	17.6
TOTAL FUND REVENUE	115.00	950.00	5,400.00	4,450.00	17.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

JUDICIAL EDUCATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
22-40-47180 JUDICIAL EDUCATION FEES	63.00	775.00	5,400.00	4,625.00	14.4
22-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	63.00	775.00	5,400.00	4,625.00	14.4
TOTAL FUND EXPENDITURES	63.00	775.00	5,400.00	4,625.00	14.4
NET REVENUE OVER EXPENDITURES	52.00	175.00	.00	( 175.00)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

COURT AUTOMATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
23-30-35030 DWI LAB FEES	( 60.89)	( 60.89)	700.00	760.89	( 8.7)
23-30-35035 DWI PREVENTION FEES	.00	.00	700.00	700.00	.0
23-30-35040 SUBSTANCE ABUSE FEES	.00	.00	50.00	50.00	.0
23-30-35070 COURT AUTOMATION FEES	234.00	1,920.00	8,000.00	6,080.00	24.0
TOTAL REVENUE	173.11	1,859.11	9,450.00	7,590.89	19.7
TOTAL FUND REVENUE	173.11	1,859.11	9,450.00	7,590.89	19.7

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

COURT AUTOMATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
23-40-47140 SUBSTANCE ABUSE FEES	.00	.00	50.00	50.00	.0
23-40-47170 COURT AUTOMATION FEES	246.00	1,686.00	8,000.00	6,314.00	21.1
23-40-47190 DWI LAB FEES	.00	.00	700.00	700.00	.0
23-40-47195 DWI PREVENTION FEES	.00	.00	700.00	700.00	.0
23-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	246.00	1,686.00	9,450.00	7,764.00	17.8
TOTAL FUND EXPENDITURES	246.00	1,686.00	9,450.00	7,764.00	17.8
NET REVENUE OVER EXPENDITURES	( 72.89)	173.11	.00	( 173.11)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

KRDB LITTER CONTROL-GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
24-30-37090 KRDB-LITTER CONTROL GRANT	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

KRDB LITTER CONTROL-GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
24-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
24-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
24-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
24-40-46020 TRAINING	.00	.00	.00	.00	.0
24-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
24-40-47061 YOUTH EMPLOYMENT	.00	.00	.00	.00	.0
24-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
24-99-31010 TRSF GENERAL FUND MATCH	.00	.00	.00	.00	.0
24-99-31039 TRSF INFRAST F39	.00	.00	.00	.00	.0
24-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

MOUNTAIN TRANSIT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CHARGES FOR SERVICES</u>					
25-34-34215 FARES	.00	.00	.00	.00	.0
TOTAL CHARGES FOR SERVICES	.00	.00	.00	.00	.0
<u>MISCELLANEOUS</u>					
25-36-36066 INSURANCE CLAIM	.00	.00	.00	.00	.0
25-36-36600 GRANT	.00	.00	.00	.00	.0
25-36-36610 ARRA GRANT	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	.00	.00	.00	.00	.0
<u>OTHER REVENUE SOURCES</u>					
25-37-37215 ENMU MATCH	.00	.00	.00	.00	.0
25-37-37216 WAL-MART MATCH	.00	.00	.00	.00	.0
25-37-37220 VOR MATCH	.00	.00	.00	.00	.0
25-37-37225 LINCOLN COUNTY MATCH	.00	.00	.00	.00	.0
25-37-37230 BUS ADVERTISING	.00	.00	.00	.00	.0
TOTAL OTHER REVENUE SOURCES	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

MOUNTAIN TRANSIT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
25-40-41020 FULL-TIME POSITIONS	.00	.00	.00	.00	.0
25-40-41030 SAFETY/LONGEVITY PAY	.00	.00	.00	.00	.0
25-40-41040 PART-TIME POSITIONS	.00	.00	.00	.00	.0
25-40-41050 OVERTIME	.00	.00	.00	.00	.0
25-40-42010 F.I.C.A. - REGULAR	.00	.00	.00	.00	.0
25-40-42020 F.I.C.A. - MEDICARE	.00	.00	.00	.00	.0
25-40-42030 RETIREMENT CONTRIBUTIONS	.00	.00	.00	.00	.0
25-40-42040 CLOTHING ALLOWANCE	.00	.00	.00	.00	.0
25-40-42050 INSURANCE	.00	.00	.00	.00	.0
25-40-42070 WC PREMIUM	.00	.00	.00	.00	.0
25-40-42080 WORKERS' COMPENSATION (ASSMN	.00	.00	.00	.00	.0
25-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
25-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
25-40-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
25-40-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
25-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
25-40-44040 EQUIPMENT MAINTENANCE & REPAI	.00	.00	.00	.00	.0
25-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
25-40-46015 POSTAGE & SHIPPING	.00	.00	.00	.00	.0
25-40-46020 TRAINING	.00	.00	.00	.00	.0
25-40-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
25-40-46040 UNIFORMS	.00	.00	.00	.00	.0
25-40-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
25-40-46060 UTILITIES	.00	.00	.00	.00	.0
25-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
25-40-47090 INSURANCE	.00	.00	.00	.00	.0
25-40-47170 OPERATIONS & ADMIN	.00	.00	.00	.00	.0
25-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
25-40-47215 PERSONNEL COSTS	.00	.00	.00	.00	.0
25-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
25-40-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
25-40-48070 CAP OUT-IMPROVEMENTS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
25-99-39010 TRSF FROM GENERAL FUND	.00	.00	.00	.00	.0
25-99-39034 TRSF FROM LODGERS TAX	.00	.00	.00	.00	.0
25-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

EMERGENCY MEDICAL SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
26-30-37090 EMERGENCY MEDICAL SERVICES	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

EMERGENCY MEDICAL SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
26-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
26-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
26-40-44040 EQUIPMENT MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
26-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
26-40-46020 TRAINING/SEMINARS-EMS	.00	.00	.00	.00	.0
26-40-46030 SAFETY EQUIPMENT-EMS	4,400.00	4,400.00	.00	( 4,400.00)	.0
26-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
26-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
26-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
26-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	4,400.00	4,400.00	.00	( 4,400.00)	.0
<u>EXPENDITURES NON-OPERATIONAL</u>					
26-50-46915 REVERSION OF GRANT MONIES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES NON-OPERATIONAL	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	4,400.00	4,400.00	.00	( 4,400.00)	.0
NET REVENUE OVER EXPENDITURES	( 4,400.00)	( 4,400.00)	.00	4,400.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

STREET IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
27-30-37150 NM COOP GRANT SP-2-17(968)	.00	.00	.00	.00	.0
27-30-37160 L200516	.00	.00	.00	.00	.0
27-30-37196 COOP CN L200449	.00	.00	.00	.00	.0
27-30-37197 NMDOT COOP GRANT CN L200481	.00	.00	.00	.00	.0
27-30-37198 NMDOT MAP-7627(911)	.00	.00	.00	.00	.0
27-30-37199 NMDOT MAP-7627(913)	.00	.00	.00	.00	.0
27-30-37200 GRIP II GRANT	.00	.00	.00	.00	.0
27-30-37201 GRIP II GRANT-HWY 70 PEDESTRIA	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
<u>CHARGES FOR SERVICES</u>					
27-34-34150 PRINTING & COPYING CHARGES	.00	.00	.00	.00	.0
TOTAL CHARGES FOR SERVICES	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

STREET IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
27-40-44050 STREET MAINT & REPAIR	.00	.00	.00	.00	.0
27-40-44060 L200516	.00	.00	.00	.00	.0
27-40-44065 CASH MATCH L200516	.00	.00	.00	.00	.0
27-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
27-40-49005 OVRLAY SPRING.PKWAY.ESCALANTE	.00	.00	.00	.00	.0
27-40-49011 HWY 70 - PEDESTRIAN ACCESS	.00	.00	.00	.00	.0
27-40-49013 CASH MATCH	.00	.00	.00	.00	.0
27-40-49014 SERVICE LANE L200516	.00	.00	.00	.00	.0
27-40-49015 CN L200449 CITY MATCH	.00	.00	.00	.00	.0
27-40-49016 RECONST OF MIRIAM/SERVICE LN	.00	.00	.00	.00	.0
27-40-49017 PARKER CASH MATCH L200481	.00	.00	.00	.00	.0
27-40-49018 PARKER ROAD L200481	.00	.00	.00	.00	.0
27-40-49019 RECONST DIPALO/WOOD-PH2	.00	.00	.00	.00	.0
27-40-49020 RIGHT OF WAY ACQ.	.00	.00	.00	.00	.0
27-40-49021 RECONST OF GRIFFITH DR	.00	.00	.00	.00	.0
27-40-49022 CN L200449	.00	.00	.00	.00	.0
27-40-49025 L200449	.00	.00	.00	.00	.0
27-40-49100 WOOD LANE/PARKER ROAD	.00	.00	.00	.00	.0
27-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
27-99-39011 TRSF CN L200449	.00	.00	.00	.00	.0
27-99-39028 TRSF FOR STREET MAINTENANCE	.00	.00	.00	.00	.0
27-99-39030 TRSF	.00	.00	.00	.00	.0
27-99-39039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
27-99-39057 TRSF FROM GENERAL FUND	.00	.00	.00	.00	.0
27-99-45110 TRSF GF	.00	.00	.00	.00	.0
27-99-45130 TRSF	.00	.00	.00	.00	.0
27-99-45142 TRSF	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GAS TAX ROAD FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
28-30-36400 INTEREST INCOME	531.53	3,428.73	.00	( 3,428.73)	.0
28-30-37090 GAS TAX (.01)	417.00	3,733.38	7,047.00	3,313.62	53.0
28-30-37095 GAS TAX (.02)	1,301.56	3,645.19	9,873.00	6,227.81	36.9
28-30-37150 NM COOP MAP L200552	.00	.00	.00	.00	.0
28-30-37151 NM COOP MAP L200570	.00	.00	.00	.00	.0
28-30-37152 NM COOP MAP L200619	.00	260,000.00	260,000.00	.00	100.0
TOTAL REVENUE	2,250.09	270,807.30	276,920.00	6,112.70	97.8
TOTAL FUND REVENUE	2,250.09	270,807.30	276,920.00	6,112.70	97.8

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GAS TAX ROAD FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
28-40-44050 STREET MAINT & REPAIR	.00	53,864.25	65,000.00	11,135.75	82.9
28-40-44060 L200552	.00	.00	.00	.00	.0
28-40-44061 L200570	.00	153,563.78	200,000.00	46,436.22	76.8
28-40-44065 CASH MATCH L200552	.00	.00	.00	.00	.0
28-40-44066 CASH MATCH L200570	.00	.00	.00	.00	.0
28-40-44067 NM MAP L200619	.00	.00	260,000.00	260,000.00	.0
TOTAL EXPENDITURES	.00	207,428.03	525,000.00	317,571.97	39.5
<u>TRANSFERS</u>					
28-99-39027 TRSF FOR STREET MAINTENANCE	.00	.00	.00	.00	.0
28-99-41527 TRSF TO ST IMP-MAINT & REPAIR	.00	.00	.00	.00	.0
28-99-51510 TRSF TO GENERAL FUND	.00	2,313.86	9,873.00	7,559.14	23.4
TOTAL TRANSFERS	.00	2,313.86	9,873.00	7,559.14	23.4
TOTAL FUND EXPENDITURES	.00	209,741.89	534,873.00	325,131.11	39.2
NET REVENUE OVER EXPENDITURES	2,250.09	61,065.41	( 257,953.00)	( 319,018.41)	23.7

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

FIRE PROTECTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>REVENUE</u>					
29-30-36061	MISC REV	.00	.00	.00	.00	.0
29-30-36400	INTEREST INCOME	1,203.07	7,971.31	6,000.00	( 1,971.31)	132.9
29-30-37120	FIRE ALLOTMENT (DFA)	50,947.00	101,085.00	95,773.00	( 5,312.00)	105.6
29-30-37126	FP-GRANT RESCUE SCBA	.00	.00	.00	.00	.0
29-30-37127	SFMO-10252023	.00	293,526.00	293,526.00	.00	100.0
	TOTAL REVENUE	52,150.07	402,582.31	395,299.00	( 7,283.31)	101.8
	TOTAL FUND REVENUE	52,150.07	402,582.31	395,299.00	( 7,283.31)	101.8

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

FIRE PROTECTION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
29-40-43010 TRAVEL-MILEAGE AND PER DIEM	.00	.00	3,000.00	3,000.00	.0
29-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
29-40-44010 BUILDING MAINTENANCE & REPAIR	.00	2,233.52	3,000.00	766.48	74.5
29-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	6,231.96	20,000.00	13,768.04	31.2
29-40-44040 EQUIPMENT MAINTENANCE & REPAIR	( 4,400.00)	12,553.09	11,000.00	( 1,553.09)	114.1
29-40-46010 MATERIALS & SUPPLIES	22.00	10,590.42	10,000.00	( 590.42)	105.9
29-40-46020 TRAINING	.00	.00	1,058.00	1,058.00	.0
29-40-46030 VEHICLE OPERATION COSTS	376.48	6,849.79	7,500.00	650.21	91.3
29-40-46040 UNIFORMS	.00	660.00	2,000.00	1,340.00	33.0
29-40-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
29-40-46060 UTILITIES	.00	.00	.00	.00	.0
29-40-47090 INSURANCE	.00	1,846.00	3,000.00	1,154.00	61.5
29-40-47215 PERSONNEL COSTS	.00	.00	.00	.00	.0
29-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
29-40-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
29-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
29-40-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
29-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
29-40-48051 CAP OUT-RESCUE SCBA	.00	.00	.00	.00	.0
29-40-48052 CAP OUT-BRUSH TRUCK	.00	.00	293,526.00	293,526.00	.0
29-40-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
29-40-48070 CAP OUT-IMPROVEMENTS	.00	.00	.00	.00	.0
29-40-48080 CAP OUT-TRUCK PAYMENTS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	( 4,001.52)	40,964.78	354,084.00	313,119.22	11.6
TOTAL FUND EXPENDITURES	( 4,001.52)	40,964.78	354,084.00	313,119.22	11.6
NET REVENUE OVER EXPENDITURES	56,151.59	361,617.53	41,215.00	( 320,402.53)	877.4

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

EMERGENCY CONTINGENCY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
30-36-36010 PW 59 (0)	.00	.00	.00	.00	.0
30-36-36011 PW 67	.00	.00	.00	.00	.0
30-36-36012 PW 68	.00	.00	.00	.00	.0
30-36-36013 PW 150	.00	.00	.00	.00	.0
30-36-36015 PW 158	.00	.00	.00	.00	.0
30-36-36016 PW 159	.00	.00	.00	.00	.0
30-36-36017 PW 148	.00	.00	.00	.00	.0
30-36-36020 PW 73	.00	.00	.00	.00	.0
30-36-36061 MISC REV	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

EMERGENCY CONTINGENCY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
30-40-47010 PW 59 - HIGHLANDS LANE	.00	.00	.00	.00	.0
30-40-47011 PW 67 - CORD FORCE ACCT	.00	.00	.00	.00	.0
30-40-47012 PW 68 - CORD FORCE ACCT	.00	.00	.00	.00	.0
30-40-47013 PW 150 - FRIEDENBLOOM DEBRIS	.00	.00	.00	.00	.0
30-40-47014 PW 151 - JOE WELCH DRIVE	.00	.00	.00	.00	.0
30-40-47015 PW 158 - VOR PARKER	.00	.00	.00	.00	.0
30-40-47016 PW 159 - VOR FRIEDENBLOOM	.00	.00	.00	.00	.0
30-40-47017 PW 148 - FRIEDENBLOOM BRIDGE	.00	.00	.00	.00	.0
30-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
30-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
30-99-39010 TRSF FROM GENERAL FUND	.00	.00	( 50,000.00)	( 50,000.00)	.0
30-99-39027 TRSF	.00	.00	.00	.00	.0
30-99-39039 TRSF INFRASTRUCTURE-STREET	.00	.00	.00	.00	.0
30-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
30-99-45127 TRSF	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	( 50,000.00)	( 50,000.00)	.0
TOTAL FUND EXPENDITURES	.00	.00	( 50,000.00)	( 50,000.00)	.0
NET REVENUE OVER EXPENDITURES	.00	.00	50,000.00	50,000.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LAW ENFORCEMENT PROTECTION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
31-30-37130 LAW ENFORCEMENT (DFA)	.00	107,000.00	107,000.00	.00	100.0
TOTAL REVENUE	.00	107,000.00	107,000.00	.00	100.0
TOTAL FUND REVENUE	.00	107,000.00	107,000.00	.00	100.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LAW ENFORCEMENT PROTECTION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
31-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
31-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
31-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
31-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
31-40-46020 TRAINING	.00	.00	.00	.00	.0
31-40-46040 UNIFORMS	.00	.00	.00	.00	.0
31-40-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
31-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
31-40-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
31-40-48020 CAP OUT-VEHICLES	.00	84,666.00	107,000.00	22,334.00	79.1
31-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
31-40-48035 CAP OUT-CAMERAS	.00	.00	.00	.00	.0
31-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
31-40-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	84,666.00	107,000.00	22,334.00	79.1
TOTAL FUND EXPENDITURES	.00	84,666.00	107,000.00	22,334.00	79.1
NET REVENUE OVER EXPENDITURES	.00	22,334.00	.00	( 22,334.00)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

FRF CARES ACT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
32-36-36010 FRF AMERICAN RESCUE	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

FRF CARES ACT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
32-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
32-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
32-40-48070 CAP OUT-INFRASTRUCTURE	.00	.00	495,537.00	495,537.00	.0
TOTAL EXPENDITURES	.00	.00	495,537.00	495,537.00	.0
<u>TRANSFERS</u>					
32-99-39010 TRSF FROM GENERAL FUND	.00	.00	.00	.00	.0
32-99-39027 TRSF	.00	.00	.00	.00	.0
32-99-39039 TRSF INFRASTRUCTURE-STREET	.00	.00	.00	.00	.0
32-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
32-99-41536 TRSF MUSEUM	.00	.00	.00	.00	.0
32-99-45127 TRSF	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	495,537.00	495,537.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	( 495,537.00)	( 495,537.00)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CANNABIS REGULATION ACT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
33-30-37130 CANNABIS REGULATION ACT	.00	2,427.89	8,500.00	6,072.11	28.6
TOTAL REVENUE	.00	2,427.89	8,500.00	6,072.11	28.6
TOTAL FUND REVENUE	.00	2,427.89	8,500.00	6,072.11	28.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CANNABIS REGULATION ACT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
33-40-41050 STATE ADMIN FEE'S GRT DIST	.00	72.82	1,000.00	927.18	7.3
33-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
33-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
33-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
33-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
33-40-46020 TRAINING	.00	.00	.00	.00	.0
33-40-46040 UNIFORMS	.00	.00	.00	.00	.0
33-40-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
33-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
33-40-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
33-40-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
33-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
33-40-48035 CAP OUT-CAMERAS	.00	.00	.00	.00	.0
33-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
33-40-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	72.82	1,000.00	927.18	7.3
TOTAL FUND EXPENDITURES	.00	72.82	1,000.00	927.18	7.3
NET REVENUE OVER EXPENDITURES	.00	2,355.07	7,500.00	5,144.93	31.4

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LODGERS TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
34-30-31300 LODGERS TAX 2%	7,072.41	102,408.42	109,503.00	7,094.58	93.5
34-30-31305 LODGERS TAX 3%	10,608.62	151,695.81	164,253.00	12,557.19	92.4
34-30-36065 MISC REVENUES-LATE FEES	126.73	2,469.54	1,000.00	( 1,469.54)	247.0
34-30-36400 INTEREST INCOME	1,387.84	10,430.55	11,400.00	969.45	91.5
TOTAL REVENUE	19,195.60	267,004.32	286,156.00	19,151.68	93.3
<u>MISCELLANEOUS</u>					
34-36-36061 MISC DONATIONS	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	19,195.60	267,004.32	286,156.00	19,151.68	93.3

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LODGERS TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES-PROMO</u>					
34-40-47085 MOUNTAIN BLUES FESTIVAL	.00	48.65	1,500.00	1,451.35	3.2
34-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
34-40-47310 BILLY THE KID SCENIC BYWAYS	.00	.00	.00	.00	.0
34-40-47312 BREWDOSO	.00	.00	500.00	500.00	.0
34-40-47314 TACOS AND TEQUILA FESTIVAL	.00	.00	500.00	500.00	.0
34-40-47315 RD MARKET PLACE	.00	.00	500.00	500.00	.0
34-40-47320 GOLDEN ASPEN RALLY	.00	.00	3,250.00	3,250.00	.0
34-40-47321 ASPEN CASH RALLY	.00	.00	500.00	500.00	.0
34-40-47322 THE BATTLE OF THE BASES	.00	.00	500.00	500.00	.0
34-40-47325 ALL AMERICAN COUNTRY FESTIVAL	.00	.00	750.00	750.00	.0
34-40-47335 ZIA FESTIVAL	.00	495.00	500.00	5.00	99.0
34-40-47341 CHILE THE KID FESTIVAL	.00	.00	500.00	500.00	.0
34-40-47345 RACE TRACK CONCERT SERIES	.00	8,370.00	11,880.00	3,510.00	70.5
34-40-47346 LINCOLN CO SHERIFF'S POSSE	.00	.00	.00	.00	.0
34-40-47347 FORT STANTON INC	.00	.00	.00	.00	.0
34-40-47355 OCTOBERFEST	.00	.00	1,000.00	1,000.00	.0
34-40-47360 RADIO ADVERTISING-TIM KEITHLEY	.00	.00	.00	.00	.0
34-40-47365 COWBOY SYMPOSIUM	.00	.00	5,000.00	5,000.00	.0
34-40-47375 CITY PROMO ADVERTISEMENT	.00	3,052.05	90,000.00	86,947.95	3.4
34-40-47380 ZIA TRANSIT ALAMOGORDO	.00	.00	56,430.00	56,430.00	.0
34-40-47383 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47384 \	.00	.00	.00	.00	.0
34-40-47385 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47390 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47410 CHRISTMAS JUBILEE-GREETERS	.00	2,000.00	2,000.00	.00	100.0
34-40-47411 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47412 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47413 30 CHARACTERS	.00	.00	.00	.00	.0
34-40-47415 RD BEAUTIFICATION ADVERTISING	.00	1,337.69	5,000.00	3,662.31	26.8
34-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES-PROMO	.00	15,303.39	180,310.00	165,006.61	8.5
<u>EXPENDITURES-NON-PROMO</u>					
34-45-46010 MATERIALS & SUPPLIES	.00	162.00	1,000.00	838.00	16.2
34-45-46020 TRAINING	.00	.00	.00	.00	.0
34-45-47235 SPECIAL FINANCIAL AUDIT SERVE	.00	.00	.00	.00	.0
34-45-47396 POLICE/TRAFFIC CONTROL COVER	.00	4,000.00	4,000.00	.00	100.0
34-45-49010 ALL AMERICAN PARK	.00	.00	.00	.00	.0
34-45-49040 ENTRY SIGN	.00	4,577.22	4,600.00	22.78	99.5
TOTAL EXPENDITURES-NON-PROMO	.00	8,739.22	9,600.00	860.78	91.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

LODGERS TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS</u>					
34-99-39036 TRSF MUSEUM	.00	.00	.00	.00	.0
34-99-49025 TRSF LINCOLN CO TRANSIT	.00	.00	.00	.00	.0
34-99-49034 TRSF 10% ADMIN FEES	.00	20,314.72	35,000.00	14,685.28	58.0
34-99-49036 TRSF HMAW (PROMOTIONAL)	.00	.00	.00	.00	.0
34-99-49038 TRSF HMAW (NON-PROMOTIONAL)	.00	.00	.00	.00	.0
34-99-49039 TRSF MUSEUM	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	20,314.72	35,000.00	14,685.28	58.0
TOTAL FUND EXPENDITURES	.00	44,357.33	224,910.00	180,552.67	19.7
NET REVENUE OVER EXPENDITURES	19,195.60	222,646.99	61,246.00	( 161,400.99)	363.5

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

MUSEUM FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
36-30-36400 INTEREST INCOME	.00	.00	.00	.00	.0
36-30-36410 HUBBARD MUSEUM ADMISSIONS	.00	.00	.00	.00	.0
36-30-36411 MUSEUM MEMBERSHIP	.00	.00	.00	.00	.0
36-30-36412 EDUCATION/WORKSHOP FEES	.00	.00	.00	.00	.0
36-30-36413 WAA GROSS PROCEEDS SALES	.00	.00	.00	.00	.0
36-30-36414 FALL PHOTO SHOW	.00	.00	.00	.00	.0
36-30-36415 GIFT SHOP	.00	.00	.00	.00	.0
36-30-36416 BIENELLE	.00	.00	.00	.00	.0
36-30-36417 GIFT SHOP CONSIGNMENT SALES	.00	.00	.00	.00	.0
36-30-36515 HUBBARD GIFT	.00	.00	.00	.00	.0
36-30-36520 HUBBARD FOUNDATION CONTRACT	.00	.00	.00	.00	.0
36-30-36525 FUND RAISING	.00	.00	.00	.00	.0
36-30-36530 DONATIONS	.00	.00	.00	.00	.0
36-30-36545 FOUNDATION CONTRIBUTIONS	.00	.00	.00	.00	.0
36-30-36565 OTHER REVENUE	.00	.00	.00	.00	.0
36-30-36566 FACILITY RENTAL	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
<u>MISCELLANEOUS</u>					
36-36-36066 INSURANCE CLAIM	.00	.00	.00	.00	.0
36-36-36067 PERA CONTRIBUTION	.00	.00	.00	.00	.0
36-36-36510 SALE OF DECLARED SURPLUS	.00	.00	.00	.00	.0
36-36-36565 SAP 08 GRANT	.00	.00	.00	.00	.0
36-36-36566 PNM GRANT	.00	.00	.00	.00	.0
36-36-36570 HUD GRANT	.00	.00	.00	.00	.0
36-36-36571 HUBBARD FOUNDATION GRANT	.00	.00	.00	.00	.0
36-36-36572 NM TOURISM ADVERTISING GRANT	.00	.00	.00	.00	.0
36-36-36573 COPE LEARNING CENTER	.00	.00	.00	.00	.0
36-36-36574 DONATIONS-MICROPHONES	.00	.00	.00	.00	.0
36-36-36575 GRANT	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

MUSEUM FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
36-40-37217 CHRISTMAS DECORATIONS MUSEUM	.00	.00	.00	.00	.0
36-40-41020 FULL-TIME POSITIONS	.00	.00	.00	.00	.0
36-40-41030 SAFETY/LONGEVITY PAY	.00	.00	.00	.00	.0
36-40-41040 PART-TIME POSITIONS	.00	.00	.00	.00	.0
36-40-41050 OVERTIME	.00	.00	.00	.00	.0
36-40-42010 F.I.C.A. - REGULAR	.00	.00	.00	.00	.0
36-40-42020 F.I.C.A. - MEDICARE	.00	.00	.00	.00	.0
36-40-42030 RETIREMENT CONTRIBUTIONS	.00	.00	.00	.00	.0
36-40-42040 CLOTHING ALLOWANCE	.00	.00	.00	.00	.0
36-40-42050 INSURANCE	.00	.00	.00	.00	.0
36-40-42070 WC PREMIUM	.00	.00	.00	.00	.0
36-40-42080 WORKERS' COMPENSATION (ASSMN	.00	.00	.00	.00	.0
36-40-43010 TRAVEL-MILEAGE	.00	.00	.00	.00	.0
36-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
36-40-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
36-40-44010 BUILDING MAINTENANCE & REPAIR	.00	308.72	2,500.00	2,191.28	12.4
36-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
36-40-44040 EQUIPMENT MAINTENANCE & REPAI	.00	.00	.00	.00	.0
36-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
36-40-46011 MATERIALS & SUPPLIES-COLLECT	.00	.00	.00	.00	.0
36-40-46012 MATERIALS & SUPPLIES-EDUCATION	.00	.00	.00	.00	.0
36-40-46013 MATERIALS & SUPPLIES-EXHIBITS	.00	.00	.00	.00	.0
36-40-46015 POSTAGE & SHIPPING	.00	.00	.00	.00	.0
36-40-46020 TRAINING	.00	.00	.00	.00	.0
36-40-46025 OTHER-MERCHANT FEES	.00	.00	.00	.00	.0
36-40-46030 VEHICLE OPERATION COSTS	.00	.00	.00	.00	.0
36-40-46040 UNIFORMS	.00	.00	.00	.00	.0
36-40-46050 TELEPHONE & COMMUNICATIONS	.00	.00	.00	.00	.0
36-40-46060 UTILITIES	2,626.12	19,484.44	28,000.00	8,515.56	69.6
36-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
36-40-47061 ADVERTISING	.00	.00	.00	.00	.0
36-40-47062 MEMBERSHIP COSTS	.00	.00	.00	.00	.0
36-40-47090 INSURANCE	.00	.00	.00	.00	.0
36-40-47190 OTHER-GRT	.00	.00	.00	.00	.0
36-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
36-40-47215 PERSONNEL COSTS	.00	.00	.00	.00	.0
36-40-47220 WAA WHOLE REIMB. TO ARTISTS	.00	.00	.00	.00	.0
36-40-47221 REIMB-ARTISTS-CONSIGNMENTS	.00	.00	.00	.00	.0
36-40-47222 FALL PHOTO REIMB TO ARTISTS	.00	.00	.00	.00	.0
36-40-47223 REIMB-PNM REBATE PROGRAM	.00	.00	.00	.00	.0
36-40-47224 REIMB-DAMAGED ARTWORK	.00	.00	.00	.00	.0
36-40-47225 REFUND-MEMBERSHIP	.00	.00	.00	.00	.0
36-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
36-40-47251 OTHER-GIFT SHOP STOCK	.00	.00	.00	.00	.0
36-40-47310 COPE LEARNING CENTER	.00	.00	.00	.00	.0
36-40-47315 MONUMENT MAINT/REPAIR	.00	.00	.00	.00	.0
36-40-47317 MONUMENT CHRISTMAS DECORATIO	.00	.00	.00	.00	.0
36-40-47320 CULTURE & REC	.00	.00	.00	.00	.0
36-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
36-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
36-40-48070 CAP OUT-IMP (STORAGE BLDG.)	.00	.00	.00	.00	.0
36-40-49010 CAP OUT-BLDGS. & IMP.	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

MUSEUM FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
36-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
36-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	2,626.12	19,793.16	30,500.00	10,706.84	64.9
EXPENDITURES NON-OPERATIONAL					
36-50-46915 REVERSION OF GRANT MONIES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES NON-OPERATI	.00	.00	.00	.00	.0
TRANSFERS					
36-99-39010 TRSF GENERAL FUND	( 8,165.00)	( 24,495.00)	( 32,659.00)	( 8,164.00)	( 75.0)
36-99-39011 TEMP TRSF-GENERAL FUND	.00	.00	.00	.00	.0
36-99-39034 TRSF LODGERS TAX	.00	.00	.00	.00	.0
36-99-39045 TRSF LODGERS TAX NON-PROM	.00	.00	.00	.00	.0
36-99-39077 TRSF LODGERS TAX-PROMOTIONAL	.00	.00	.00	.00	.0
36-99-49034 TRSF LODGERS TAX	.00	.00	.00	.00	.0
TOTAL TRANSFERS	( 8,165.00)	( 24,495.00)	( 32,659.00)	( 8,164.00)	( 75.0)
TOTAL FUND EXPENDITURES	( 5,538.88)	( 4,701.84)	( 2,159.00)	2,542.84	(217.8)
NET REVENUE OVER EXPENDITURES	5,538.88	4,701.84	2,159.00	( 2,542.84)	217.8

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

RECREATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
37-30-31795 KRDB DONATIONS	.00	.00	.00	.00	.0
37-30-32200 CIGARETTE TAX RECREATION	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
<u>MISCELLANEOUS</u>					
37-36-36065 MISC REVENUES	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

RECREATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
37-40-49010 YOUTH RECREATION PROGRAMS	.00	.00	.00	.00	.0
37-40-49020 PARK TREES/LANDSCAPING	.00	.00	.00	.00	.0
37-40-49030 CAP OUT-BUILDINGS/MAINT/REPAIR	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

INFRASTRUCTURE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
39-30-31240 INFRASTRUCTURE (1/8 CENT)	17,583.78	147,215.41	184,800.00	37,584.59	79.7
39-30-31250 DFA GRANT 22-G2888	.00	14,053.41	500,000.00	485,946.59	2.8
39-30-31251 DFA GRANT 22-G2889	.00	.00	275,000.00	275,000.00	.0
39-30-31260 INFRA-WWTP (1/8 CENT)	.00	.00	.00	.00	.0
39-30-36080 SALE OF ASSETS (EQUIP)	.00	.00	.00	.00	.0
39-30-36400 INTEREST INCOME	1,501.72	11,851.17	10,800.00	1,051.17	109.7
39-30-39000 LOAN PROCEEDS	.00	.00	.00	.00	.0
TOTAL REVENUE	19,085.50	173,119.99	970,600.00	797,480.01	17.8

<u>REVENUE</u>					
39-37-31800 DFA- GRANTS	.00	.00	.00	.00	.0
39-37-31801 COLONIAS 5789 40% LOAN	.00	.00	72,920.00	72,920.00	.0
39-37-31802 COLONIAS 5789 40% GRANT	.00	.00	656,280.00	656,280.00	.0
TOTAL REVENUE	.00	.00	729,200.00	729,200.00	.0

TOTAL FUND REVENUE	19,085.50	173,119.99	1,699,800.00	1,526,680.01	10.2
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CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

INFRASTRUCTURE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
39-40-41050 STATE ADMIN FEE'S GRT DIST	395.72	3,434.01	8,000.00	4,565.99	42.9
39-40-44010 STREET SIGN R & M-INFRA	.00	5,297.62	45,000.00	39,702.38	11.8
39-40-47040 CDBG CASH MATCH 40%	.00	.00	15,000.00	15,000.00	.0
39-40-48020 HEAVY EQUIPMENT CAP OUT	.00	75,489.67	85,000.00	9,510.33	88.8
39-40-48070 CAP OUTLAY 22-G2889.MUSEUM	.00	4,058.43	275,000.00	270,941.57	1.5
39-40-48071 INFRASTRUCTURE BUILDING REPAIR	.00	1,000.00	60,000.00	59,000.00	1.7
39-40-48072 CAP OUTLAY 22-G2888.CITY HALL	.00	.00	500,000.00	500,000.00	.0
39-40-48073 COLONIAS 5789 CASH MATCH 40%	.00	.00	81,200.00	81,200.00	.0
39-40-48074 COLONIAS 5789 LOAN 40%	.00	.00	72,920.00	72,920.00	.0
39-40-48075 COLONIAS 5789 GRANT 40%	.00	.00	656,280.00	656,280.00	.0
39-40-49010 DEBT PRINCIPAL CIF 4922	.00	.00	4,746.00	4,746.00	.0
39-40-49020 DEBT PAYMENT-INTEREST	.00	.00	.00	.00	.0
39-40-49025 CAP IMP-PARK IMPROVEMENTS	.00	.00	30,000.00	30,000.00	.0
TOTAL EXPENDITURES	395.72	89,279.73	1,833,146.00	1,743,866.27	4.9
<u>TRANSFERS</u>					
39-99-39540 TRSF FROM CAP	.00	.00	.00	.00	.0
39-99-41530 TRSF TO CAP	.00	.00	.00	.00	.0
39-99-49027 TRSF STREET IMPROVEMENT	.00	.00	.00	.00	.0
39-99-49030 TRSF FEMA	.00	.00	.00	.00	.0
39-99-49039 TRSF SWR IMPROVEMENT	.00	.00	.00	.00	.0
39-99-49040 TRSF DEBT FUND	.00	.00	.00	.00	.0
39-99-49042 TRSF TO CDBG	.00	.00	.00	.00	.0
39-99-49043 TRSF TO COLONIAS	.00	.00	.00	.00	.0
39-99-49053 TRSF TO SWR IMPROVEMENTS	.00	.00	.00	.00	.0
39-99-49054 TRANSFER	.00	.00	.00	.00	.0
39-99-49055 TRSF TO WATER	.00	.00	.00	.00	.0
39-99-49056 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
39-99-49057 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
39-99-49059 TRSF ASSET MGMT. RESERVE	.00	.00	.00	.00	.0
39-99-49540 TRSF TO KRDB	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	395.72	89,279.73	1,833,146.00	1,743,866.27	4.9
NET REVENUE OVER EXPENDITURES	18,689.78	83,840.26	( 133,346.00)	( 217,186.26)	62.9

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

DEBT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
40-30-36030 BOND PROCEEDS	.00	.00	.00	.00	.0
40-30-36040 DEBT TAX COLLECTION-CURRENT	.00	.00	.00	.00	.0
40-30-36045 DEBT TAX COLLECTION-PRIOR	.00	.00	.00	.00	.0
40-30-36400 INTEREST INCOME	.00	.00	.00	.00	.0
 TOTAL REVENUE	 .00	 .00	 .00	 .00	 .0
  TOTAL FUND REVENUE	  .00	  .00	  .00	  .00	  .0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

DEBT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
40-40-47010 ARRA CWSRF 02 PRINCIPAL	.00	.00	.00	.00	.0
40-40-47011 ARRA CWSRF 02 INTEREST	.00	.00	.00	.00	.0
40-40-47012 ARRA CWSRF 02 ADMIN FEES	.00	.00	.00	.00	.0
40-40-47110 REAPPRAISAL FEES	.00	.00	.00	.00	.0
40-40-48010 BOND DEBT 2781-CIF	.00	.00	.00	.00	.0
40-40-48015 BOND DEBT 2975-CIF	.00	.00	.00	.00	.0
40-40-48016 BOND DEBT 3358-CIF	.00	.00	.00	.00	.0
40-40-48017 BOND DEBT 0347-WTB PRINCIPAL	.00	.00	.00	.00	.0
40-40-48018 BOND DEBT 0347-WTB INTEREST	.00	.00	.00	.00	.0
40-40-48019 BOND DEBT 3514-CIF	.00	.00	.00	.00	.0
40-40-48020 BOND DEBT 4628-CIF	.00	.00	.00	.00	.0
40-40-48021 USDA AGUA FRIA BOND PRINCIPAL	.00	.00	.00	.00	.0
40-40-48022 USDA AGUA FRIA BOND INTEREST	.00	.00	.00	.00	.0
40-40-49010 DEBT PAYMENT-PRINCIPAL 2007	.00	95,000.00	95,000.00	.00	100.0
40-40-49020 DEBT PAYMENT-INTEREST 2007	9,490.92	20,985.84	21,041.00	55.16	99.7
40-40-49050 DEBT PAYMENT-ADMIN. FEE 2007	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	9,490.92	115,985.84	116,041.00	55.16	100.0
<u>TRANSFERS</u>					
40-99-39010 TRSF GF	.00	.00	.00	.00	.0
40-99-39039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
40-99-39041 TRSF GO BOND	( 9,490.92)	( 115,985.84)	116,041.00	232,026.84	(100.0)
40-99-39053 TRSF SEWER FUND	.00	.00	.00	.00	.0
40-99-39055 TRSF WATER	.00	.00	.00	.00	.0
40-99-39056 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
40-99-41510 TRSF GF	.00	.00	.00	.00	.0
40-99-48053 TRSF SEWER	.00	.00	.00	.00	.0
40-99-48056 TRSF W & S IMP CONSTRUCTION	.00	.00	.00	.00	.0
TOTAL TRANSFERS	( 9,490.92)	( 115,985.84)	116,041.00	232,026.84	(100.0)
TOTAL FUND EXPENDITURES	.00	.00	232,082.00	232,082.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	( 232,082.00)	( 232,082.00)	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GO BOND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
41-30-36040 DEBT TAX COLLECTION-CURRENT	5,621.10	130,729.38	113,894.00	( 16,835.38)	114.8
41-30-36045 DEBT TAX COLLECTION-PRIOR	339.93	4,587.60	8,100.00	3,512.40	56.6
41-30-36400 INTEREST INCOME	.00	.00	.00	.00	.0
TOTAL REVENUE	5,961.03	135,316.98	121,994.00	( 13,322.98)	110.9
TOTAL FUND REVENUE	5,961.03	135,316.98	121,994.00	( 13,322.98)	110.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

GO BOND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
41-40-47110 REAPPRAISAL FEES	59.61	1,353.16	3,500.00	2,146.84	38.7
41-40-49010 DEBT PAYMENT-PRINCIPAL 2007	.00	.00	.00	.00	.0
41-40-49020 DEBT PAYMENT-INTEREST 2007	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	59.61	1,353.16	3,500.00	2,146.84	38.7
<u>TRANSFERS</u>					
41-99-39041 TRSF DEBT SERVICE	.00	.00	.00	.00	.0
41-99-41540 TRSF DEBT FUND	9,490.92	115,985.84	116,041.00	55.16	100.0
TOTAL TRANSFERS	9,490.92	115,985.84	116,041.00	55.16	100.0
TOTAL FUND EXPENDITURES	9,550.53	117,339.00	119,541.00	2,202.00	98.2
NET REVENUE OVER EXPENDITURES	( 3,589.50)	17,977.98	2,453.00	( 15,524.98)	732.9

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CDBG GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
42-37-31790 CDBG GRANT	.00	.00	750,000.00	750,000.00	.0
42-37-31791 CDBG GRANT-ASSET MGT PLAN	.00	.00	50,000.00	50,000.00	.0
42-37-31795 STB GRANT REIMB	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	800,000.00	800,000.00	.0
TOTAL FUND REVENUE	.00	.00	800,000.00	800,000.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CDBG GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
42-40-47040 CASH MATCH COMPHRENSIVE PLAN	.00	.00	.00	.00	.0
42-40-47050 COMPREHENSIVE PLAN	.00	.00	.00	.00	.0
42-40-47051 ASSET MGT PLAN	.00	.00	50,000.00	50,000.00	.0
42-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
42-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
42-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
42-40-49010 CAP IMP-22-C-RS-1-01-G-09	.00	.00	750,000.00	750,000.00	.0
42-40-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	800,000.00	800,000.00	.0
<u>TRANSFERS</u>					
42-99-39010 TRSF GF	.00	.00	( 800,000.00)	( 800,000.00)	.0
42-99-39027 TRSF INFRASTRUCTURE 1/8	.00	.00	.00	.00	.0
42-99-39039 TRSF INFRASTRUCTURE-STREET	.00	.00	.00	.00	.0
42-99-41510 TRSF GF	.00	.00	800,000.00	800,000.00	.0
42-99-49056 TRANSFER OUT	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	800,000.00	800,000.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

COLONIAS GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SOURCE 30</u>					
43-30-36565 OTHER REVENUE	.00	.00	.00	.00	.0
TOTAL SOURCE 30	.00	.00	.00	.00	.0
<u>REVENUE</u>					
43-37-31790 COLONIAS GRANT PROCEEDS	.00	.00	.00	.00	.0
43-37-31791 COLONIAS GRANT-3358-CIF	.00	.00	.00	.00	.0
43-37-31792 COLONIAS GRANT 4922-CIF	.00	.00	.00	.00	.0
43-37-31793 COLONIAS GRANT 3514	.00	.00	.00	.00	.0
43-37-31794 COLONIAS GRANT 4628	.00	.00	.00	.00	.0
43-37-31795 COLONIAS LOAN-3514 CIF	.00	.00	.00	.00	.0
43-37-31796 COLONIAS LOAN-3358-CIF	.00	.00	.00	.00	.0
43-37-31797 COLONIAS LOAN 4628	.00	.00	.00	.00	.0
43-37-31799 COLONIAS 5185 EASTWARD GRANT	.00	.00	.00	.00	.0
43-37-31972 PLANNING PROCEEDS	.00	.00	.00	.00	.0
43-37-37192 COLONIAS PLANNING GRANT	.00	.00	.00	.00	.0
43-37-39000 LOAN PROCEEDS	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

COLONIAS GRANT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
43-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
43-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	.00	.00	.0
43-40-47215 PLANNING	.00	.00	.00	.00	.0
43-40-49008 COLONIAS AQUA FRIA 4628 LOAN	.00	.00	.00	.00	.0
43-40-49009 COLONIAS 4628 GRANT	.00	.00	.00	.00	.0
43-40-49010 CAP IMP-3514-CIF	.00	.00	.00	.00	.0
43-40-49011 COLONIAS 4628	.00	.00	.00	.00	.0
43-40-49012 CAP IMP-3358-CIF	.00	.00	.00	.00	.0
43-40-49013 COLONIAS 4922 CASH MATCH	.00	.00	.00	.00	.0
43-40-49014 COLONIAS-3514-CIF CASH MATCH	.00	.00	.00	.00	.0
43-40-49015 COLONIAS- CIF CASH MATCH	.00	.00	.00	.00	.0
43-40-49021 COLONIAS 5185 EASTWARD LOAN	.00	.00	.00	.00	.0
43-40-49022 COLONIAS 5185 EASTWARD GRANT	.00	.00	.00	.00	.0
43-40-49023 COLONIAS 5185 EASTWARD C MATC	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
43-99-31039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
43-99-31056 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
43-99-41510 TRSF GF	.00	.00	.00	.00	.0
43-99-49053 TRANSFER TO SEWER FUND	.00	.00	.00	.00	.0
43-99-49056 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CAPITAL APPROPRIATION PROJ.-

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>REVENUE</u>					
46-37-31795 DFA- CAPITAL EQUIPMENT GRANTS	.00	.00	.00	.00	.0
46-37-31895 DFA- DESIGN CITY HALL	.00	.00	.00	.00	.0
46-37-31995 DFA WATER LINE EXTENSION 24846	.00	.00	.00	.00	.0
46-37-31996 DFA SENIOR CENTER A190034	.00	.00	.00	.00	.0
46-37-49016 SKID STEERE	.00	.00	.00	.00	.0
46-37-49017 VIBRATORY ROLLER	.00	.00	.00	.00	.0
46-37-49018 HUBBARD MUSEUM RENOVATION	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

CAPITAL APPROPRIATION PROJ.-

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
46-40-49015 DFA-SEWER TRUCK	.00	.00	.00	.00	.0
46-40-49016 SKID STEERE	.00	.00	.00	.00	.0
46-40-49017 VIBRATORY ROLLER	.00	.00	.00	.00	.0
46-40-49018 HUBBARD MUSEUM RENOVATION	.00	.00	.00	.00	.0
46-40-49040 DFA-DESIGN CITY HALL	.00	.00	.00	.00	.0
46-40-49041 DFA WATER LINE EXTENSION 24846	.00	.00	.00	.00	.0
46-40-49042 SENIOR CENTER A190034	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
46-99-39010 TRNF	.00	.00	.00	.00	.0
46-99-39540 TRSF FROM INFRASTRUCTURE	.00	.00	.00	.00	.0
46-99-41510 TRSF TO GENERAL FUND	.00	.00	.00	.00	.0
46-99-41530 TRSF TO INFRASTRUCTURE	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER REVENUE</u>					
53-30-31260 INFRA-WWTP (1/8 CENT)	70,328.14	588,838.62	717,948.00	129,109.38	82.0
53-30-34020 INSPECTION FEES	.00	75.00	300.00	225.00	25.0
53-30-34230 SEWER SALES	36,314.53	316,355.68	346,000.00	29,644.32	91.4
53-30-34233 5% NMGGRT SERVICE SALES	.00	.00	20,000.00	20,000.00	.0
53-30-34240 CONNECTION FEES (TAPS)	.00	2,490.00	3,000.00	510.00	83.0
53-30-36065 MISC REVENUES-SEWER MATERIALS	.00	.00	.00	.00	.0
53-30-36400 INTEREST INCOME	4,415.98	34,444.23	96,000.00	61,555.77	35.9
53-30-36510 SALE OF DECLARED SURPLUS	.00	.00	.00	.00	.0
53-30-37032 COLONIAS GRANT	.00	.00	.00	.00	.0
 TOTAL SEWER REVENUE	 111,058.65	 942,203.53	 1,183,248.00	 241,044.47	 79.6
  TOTAL FUND REVENUE	  111,058.65	  942,203.53	  1,183,248.00	  241,044.47	  79.6

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
53-40-41020 FULL-TIME POSITIONS	17,986.78	150,702.53	250,125.00	99,422.47	60.3
53-40-41030 SAFETY/LONGEVITY PAY	.00	2,650.00	2,750.00	100.00	96.4
53-40-41050 OVERTIME	895.05	5,149.89	3,000.00	2,149.89	171.7
53-40-42010 F.I.C.A. - REGULAR	1,044.55	8,691.28	15,013.00	6,321.72	57.9
53-40-42020 F.I.C.A. - MEDICARE	278.54	2,328.01	3,511.00	1,182.99	66.3
53-40-42030 RETIREMENT CONTRIBUTIONS	1,890.64	15,298.58	24,767.00	9,468.42	61.8
53-40-42040 CLOTHING ALLOWANCE	437.50	3,425.00	5,700.00	2,275.00	60.1
53-40-42041 UNIFORM MAINTENANCE	.00	.00	.00	.00	.0
53-40-42050 INSURANCE	9,278.34	67,815.87	110,930.00	43,114.13	61.1
53-40-42070 WC PREMIUM	.00	.00	9,535.00	9,535.00	.0
53-40-42080 WORKERS' COMPENSATION (ASSMN	.00	20.70	46.00	25.30	45.0
53-40-43010 TRAVEL-MILEAGE AND PER-DIEM	.00	.00	.00	.00	.0
53-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
53-40-44010 BUILDING MAINTENANCE & REPAIR	.00	.00	.00	.00	.0
53-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	.00	3,000.00	3,000.00	.0
53-40-44040 EQUIPMENT MAINTENANCE & REPAI	.00	9,370.35	24,000.00	14,629.65	39.0
53-40-46010 MATERIALS & SUPPLIES	4,060.58	9,996.38	10,000.00	3.62	100.0
53-40-46015 POSTAGE & SHIPPING	185.34	1,530.96	2,600.00	1,069.04	58.9
53-40-46020 TRAINING	.00	.00	2,641.00	2,641.00	.0
53-40-46030 VEHICLE FUEL COSTS	473.92	2,624.25	8,000.00	5,375.75	32.8
53-40-46040 UNIFORMS	.00	.00	.00	.00	.0
53-40-46050 TELEPHONE & COMMUNICATIONS	75.00	600.00	1,200.00	600.00	50.0
53-40-46060 UTILITIES	.00	793.52	3,000.00	2,206.48	26.5
53-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	.00	.00	.00	.0
53-40-47170 OTHER-WASTEWATER TREATMENT O	109,580.89	275,708.03	527,849.00	252,140.97	52.2
53-40-47180 OTHER-WW RESERVE FUNDS	15,929.38	38,817.45	73,084.00	34,266.55	53.1
53-40-47190 OTHER-UTILITY GRT	.00	.00	.00	.00	.0
53-40-47210 CONTRACTS & PROFESSIONAL FEES	.00	.00	2,500.00	2,500.00	.0
53-40-47215 PERSONNEL COSTS	.00	123.27	500.00	376.73	24.7
53-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
53-40-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
53-40-48020 CAP OUT-VEHICLES	.00	45,848.24	47,500.00	1,651.76	96.5
53-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
53-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
53-40-48070 CAP OUT-IMPROVEMENTS	.00	6,000.00	6,000.00	.00	100.0
53-40-49999 DEPRECIATION	.00	.00	.00	.00	.0
53-40-50000 BAD DEBT	.00	.00	.00	.00	.0
53-40-50001 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	162,116.51	647,494.31	1,137,251.00	489,756.69	56.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES NON-OPERATIONAL</u>					
53-45-41050 STATE ADMIN FEE'S GRT DIST	1,582.66	13,735.33	31,000.00	17,264.67	44.3
53-45-48010 RR & ENHANCEMENT PROJECTS	.00	.00	.00	.00	.0
53-45-48020 SETTLEMENT AGREEMENT	.00	.00	.00	.00	.0
53-45-49020 OTHER-WWTP LOAN	.00	.00	13,881.00	13,881.00	.0
53-45-49025 BOND DEBT 2718-CIF	.00	.00	.00	.00	.0
53-45-49030 BOND DEBT 2975-CIF	.00	.00	.00	.00	.0
53-45-49032 BOND DEBT 3358-CIF	.00	.00	.00	.00	.0
53-45-49033 BOND DEBT 3514-CIF	.00	.00	.00	.00	.0
53-45-50000 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL EXPENDITURES NON-OPERATI	1,582.66	13,735.33	44,881.00	31,145.67	30.6
<u>DEPARTMENT 50</u>					
53-50-50000 BAD DEBT	.00	.00	.00	.00	.0
TOTAL DEPARTMENT 50	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
53-99-38040 TRSF DEBT FUND	.00	.00	.00	.00	.0
53-99-39010 TRSF	.00	.00	.00	.00	.0
53-99-39039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
53-99-39056 TRSF FROM W & S IMP	.00	.00	( 13,881.00)	( 13,881.00)	.0
53-99-49056 TRSF WATER & SEWER IMPROVEME	.00	.00	.00	.00	.0
53-99-49057 TRSF TO COLONIAS	.00	.00	.00	.00	.0
53-99-49058 TRSF TO RESERVE FUND	.00	7,448.84	15,000.00	7,551.16	49.7
53-99-49061 TRSF TO DEBT	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	7,448.84	1,119.00	( 6,329.84)	665.7
TOTAL FUND EXPENDITURES	163,699.17	668,678.48	1,183,251.00	514,572.52	56.5
NET REVENUE OVER EXPENDITURES	( 52,640.52)	273,525.05	( 3.00)	( 273,528.05)	91175

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
54-30-34220 SOLID WASTE SERVICE SALES	21,254.10	171,212.04	233,640.00	62,427.96	73.3
54-30-34221 ADMIN FEES CORD	.00	.00	.00	.00	.0
54-30-34233 5% NMGGRT SERVICE SALES	.00	.00	9,630.00	9,630.00	.0
54-30-34235 1/16TH ENVIRONMENTAL GRT	8,791.01	73,604.76	75,168.00	1,563.24	97.9
54-30-36400 INTEREST INCOME	114.04	877.07	1,000.00	122.93	87.7
TOTAL REVENUE	30,159.15	245,693.87	319,438.00	73,744.13	76.9
TOTAL FUND REVENUE	30,159.15	245,693.87	319,438.00	73,744.13	76.9

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SANITATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
54-40-41050 STATE ADMIN FEE'S GRT DIST	197.84	1,211.72	1,000.00	( 211.72)	121.2
54-40-46056 COMMUNITY ROLL OUT	488.79	3,031.64	30,000.00	26,968.36	10.1
54-40-47190 SOLID WASTE SERVICE SALES	21,088.47	143,176.42	200,340.00	57,163.58	71.5
54-40-47195 1/16TH ENVIRONMENTAL GRT	8,593.18	63,846.53	75,168.00	11,321.47	84.9
54-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	30,368.28	211,266.31	306,508.00	95,241.69	68.9
<u>DEPARTMENT 50</u>					
54-50-50000 BAD DEBT	.00	.00	.00	.00	.0
TOTAL DEPARTMENT 50	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
54-99-39010 TRSF	.00	.00	.00	.00	.0
54-99-39039 TRANSFER	.00	.00	.00	.00	.0
54-99-39056 TRANSFER	.00	.00	.00	.00	.0
54-99-39555 TRSF FROM GENERAL FUND	.00	.00	15,000.00	15,000.00	.0
TOTAL TRANSFERS	.00	.00	15,000.00	15,000.00	.0
TOTAL FUND EXPENDITURES	30,368.28	211,266.31	321,508.00	110,241.69	65.7
NET REVENUE OVER EXPENDITURES	( 209.13)	34,427.56	( 2,070.00)	( 36,497.56)	1663.2

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER REVENUE</u>					
55-30-34230 WATER SALES	36,990.05	347,560.06	500,000.00	152,439.94	69.5
55-30-34232 LATE FEES	2,040.00	14,970.00	16,350.00	1,380.00	91.6
55-30-34233 5% NMGGRT SERVICE SALES	.00	.00	25,000.00	25,000.00	.0
55-30-34236 NSF CHECK FOR UTILITY ACCOUNTS	.00	.00	.00	.00	.0
55-30-34240 CONNECTION FEES (TAPS)	.00	3,600.00	25,000.00	21,400.00	14.4
55-30-34250 WATER RE-CONNECTION FEES	1,878.49	11,718.58	10,000.00	( 1,718.58)	117.2
55-30-34990 OTHER REVENUE	.00	.00	1,000.00	1,000.00	.0
55-30-35016 COURT ORDERED RESTITUTION	.00	.00	.00	.00	.0
55-30-36061 MISC REV	.00	50.00	1,000.00	950.00	5.0
55-30-36066 INSURANCE CLAIM	.00	.00	2,000.00	2,000.00	.0
55-30-36400 INTEREST INCOME	1,019.67	8,191.60	10,800.00	2,608.40	75.9
55-30-36510 SALE OF DECLARED SURPLUS	.00	.00	.00	.00	.0
55-30-36520 CLEAN-UP	.00	.00	.00	.00	.0
 TOTAL WATER REVENUE	 41,928.21	 386,090.24	 591,150.00	 205,059.76	 65.3
  TOTAL FUND REVENUE	  41,928.21	  386,090.24	  591,150.00	  205,059.76	  65.3

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER-EXPENDITURES</u>					
55-40-41020 FULL-TIME POSITIONS-WATER	6,271.72	49,689.96	90,560.00	40,870.04	54.9
55-40-41030 SAFETY/LONGEVITY PAY	.00	720.00	1,260.00	540.00	57.1
55-40-41050 OVERTIME-WATER	314.47	3,598.89	20,000.00	16,401.11	18.0
55-40-42010 F.I.C.A. - REGULAR	420.68	3,433.09	6,607.00	3,173.91	52.0
55-40-42020 F.I.C.A. - MEDICARE	98.38	802.90	1,545.00	742.10	52.0
55-40-42030 RETIREMENT CONTRIBUTIONS	657.78	4,987.25	8,983.00	3,995.75	55.5
55-40-42040 CLOTHING ALLOWANCE	186.25	1,377.50	2,618.00	1,240.50	52.6
55-40-42041 UNIFORM MAINTENANCE	.00	.00	.00	.00	.0
55-40-42050 INSURANCE	3,510.84	29,636.67	58,900.00	29,263.33	50.3
55-40-42070 WC PREMIUM	.00	.00	2,618.00	2,618.00	.0
55-40-42080 WORKERS' COMPENSATION (ASSMN	.00	11.03	42.00	30.97	26.3
55-40-43010 TRAVEL-MILEAGE AND PER DIEM	.00	.00	1,500.00	1,500.00	.0
55-40-43020 TRAVEL-PER DIEM	.00	.00	.00	.00	.0
55-40-43030 TRAVEL-TRANSPORTATION	.00	.00	.00	.00	.0
55-40-44010 BUILDING MAINTENANCE & REPAIR	.00	106.70	4,000.00	3,893.30	2.7
55-40-44030 VEHICLE MAINTENANCE & REPAIR	.00	55.99	3,000.00	2,944.01	1.9
55-40-44040 EQUIPMENT MAINTENANCE & REPAIR	573.36	9,055.99	10,000.00	944.01	90.6
55-40-46010 MATERIALS & SUPPLIES	( 16,480.01)	33,736.73	80,000.00	46,263.27	42.2
55-40-46015 POSTAGE & SHIPPING	185.34	1,622.35	2,600.00	977.65	62.4
55-40-46020 TRAINING	.00	.00	3,214.00	3,214.00	.0
55-40-46030 VEHICLE FUEL COSTS	543.29	3,900.25	8,000.00	4,099.75	48.8
55-40-46040 UNIFORMS	.00	.00	.00	.00	.0
55-40-46050 TELEPHONE & COMMUNICATIONS	190.32	1,837.58	7,500.00	5,662.42	24.5
55-40-46060 UTILITIES	2,240.44	21,703.61	32,000.00	10,296.39	67.8
55-40-46900 OTHER-REFUND OVERPAYMENT	.00	134.89	.00	( 134.89)	.0
55-40-47060 DUES/ADVERTISING/SUBSCRIPTIONS	.00	8,361.90	15,000.00	6,638.10	55.8
55-40-47190 OTHER-UTILITY GRT	.00	.00	.00	.00	.0
55-40-47210 CONTRACTS & PROFESSIONAL FEES	( 680.96)	119.16	20,000.00	19,880.84	.6
55-40-47215 PERSONNEL COSTS	.00	.00	500.00	500.00	.0
55-40-47220 OTHER-NMED WATER CONSERVATIO	265.39	1,878.50	6,000.00	4,121.50	31.3
55-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
55-40-47550 EMERGENCY - FLOOD	.00	.00	.00	.00	.0
55-40-48010 CAP OUT-FURNITURE	.00	.00	.00	.00	.0
55-40-48020 CAP OUT-VEHICLES	.00	.00	.00	.00	.0
55-40-48021 LEASE PAYMENT	.00	.00	.00	.00	.0
55-40-48030 CAP OUT-COMPUTER EQUIPMENT	.00	.00	.00	.00	.0
55-40-48040 CAP OUT-OFFICE EQUIP/OPERATION	.00	.00	.00	.00	.0
55-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
55-40-48060 CAP OUT-OPER MATERIALS/TOOLS	.00	.00	.00	.00	.0
55-40-48070 CAP OUT-IMPROVEMENTS	.00	.00	.00	.00	.0
55-40-48080 CAP OUT	.00	.00	.00	.00	.0
55-40-49010 OTHER-GMAC PAYMENT	.00	.00	.00	.00	.0
55-40-49997 BAD DEBT	.00	.00	.00	.00	.0
55-40-49998 INTEREST EXPENSE	.00	.00	.00	.00	.0
55-40-49999 DEPRECIATION	.00	.00	.00	.00	.0
55-40-50000 BAD DEBT	.00	.00	.00	.00	.0
55-40-50001 ACCRUED EXPENSES	.00	.00	.00	.00	.0
TOTAL WATER-EXPENDITURES	( 1,702.71)	176,770.94	386,447.00	209,676.06	45.7

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES NON-OPERATIONAL</u>					
55-50-46900 REFUND-OVERPAYMENT	.00	.00	.00	.00	.0
55-50-47221 PROFESSIONAL HYDROLOGY SERVI	.00	.00	25,000.00	25,000.00	.0
55-50-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
55-50-49010 OTHER-WCS LOAN	.00	.00	.00	.00	.0
55-50-49025 WC PREMIUM W & S	.00	.00	.00	.00	.0
55-50-49030 BOND USDA AGUA FRIA PRINCIPAL	.00	.00	38,000.00	38,000.00	.0
55-50-49040 BOND USDA AGUA FRIA INTEREST	.00	.00	12,000.00	12,000.00	.0
55-50-49041 BOND DEBT 0347-WTB PRINCIPAL	.00	.00	.00	.00	.0
55-50-49042 BOND DEBT 0347-WTB INTEREST	.00	.00	.00	.00	.0
55-50-50000 BAD DEBT	.00	.00	.00	.00	.0
TOTAL EXPENDITURES NON-OPERATI	.00	.00	75,000.00	75,000.00	.0
<u>TRANSFERS</u>					
55-99-39010 TRSF FROM GENERAL FUND	.00	.00	.00	.00	.0
55-99-39039 TRSF FROM INFRA	.00	.00	.00	.00	.0
55-99-39050 TRS FROM GF	.00	.00	.00	.00	.0
55-99-39056 TRSF FROM W & S IMP	.00	.00	.00	.00	.0
55-99-41540 TRSF DEBT FUND	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	( 1,702.71)	176,770.94	461,447.00	284,676.06	38.3
NET REVENUE OVER EXPENDITURES	43,630.92	209,319.30	129,703.00	( 79,616.30)	161.4

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER & SEWER IMPROVEMENTS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
56-30-31250 INFRA-WATER & SEWER (1/8 CENT)	17,583.78	147,215.40	184,800.00	37,584.60	79.7
56-30-32500 GRANT CIF 5185	.00	.00	.00	.00	.0
56-30-36400 INTEREST INCOME	1,402.43	11,663.19	10,800.00	863.19	108.0
56-30-37010 COLONIAS 5789 LOAN	.00	.00	109,380.00	109,380.00	.0
56-30-37015 COLONIAS 5789 GRANT	.00	.00	984,420.00	984,420.00	.0
56-30-37031 GRANT-SAP 14-1651-STB	.00	.00	.00	.00	.0
56-30-37034 PLANNING GRANT	.00	.00	.00	.00	.0
56-30-37035 WTB 347 PROJECT GRANT	.00	.00	.00	.00	.0
56-30-37036 WTB 347 PROJECT LOAN PROCEEDS	.00	.00	.00	.00	.0
56-30-37037 WATER TB SPRING TNK REPLACE	.00	.00	250,000.00	250,000.00	.0
56-30-37040 SAP 05-WATER WELL DRILLING	.00	.00	.00	.00	.0
56-30-37045 SAP 05-WATER WELL (1117)	.00	.00	.00	.00	.0
56-30-37100 GRANT CIF 4628	.00	.00	.00	.00	.0
TOTAL REVENUE	18,986.21	158,878.59	1,539,400.00	1,380,521.41	10.3
TOTAL FUND REVENUE	18,986.21	158,878.59	1,539,400.00	1,380,521.41	10.3

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER & SEWER IMPROVEMENTS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
56-40-41050 STATE ADMIN FEE'S GRT DIST	395.72	3,434.02	8,000.00	4,565.98	42.9
56-40-47040 CDBG CASH MATCH 60%	.00	.00	22,500.00	22,500.00	.0
56-40-47240 ENCUMBRANCES-CARRY OVERS	.00	.00	.00	.00	.0
56-40-47250 OTHER-LATE CHARGE	.00	.00	.00	.00	.0
56-40-48010 DEBT ARRA CWSRF 02-PRINCIPAL	.00	5,219.66	5,325.00	105.34	98.0
56-40-48020 DEBT ARRA CWSRF 02-INTEREST	.00	700.86	620.00	( 80.86)	113.0
56-40-48030 DEBT ARRA CWSRF 02-ADMIN FEES	.00	195.15	173.00	( 22.15)	112.8
56-40-48040 ENGINEER FEES-SAP.14.1651.STB	.00	.00	.00	.00	.0
56-40-48041 PLANNING GRANT	.00	.00	.00	.00	.0
56-40-49010 PROP & WATER RIGHTS ACQ	.00	.00	100,000.00	100,000.00	.0
56-40-49012 ASSET MANAGEMENT PLAN	.00	.00	.00	.00	.0
56-40-49015 COLONIAS 5789 CASH MATCH	.00	.00	121,800.00	121,800.00	.0
56-40-49016 COLONIAS 5789 LOAN	.00	.00	109,380.00	109,380.00	.0
56-40-49017 COLONIAS 5789 GRANT	.00	.00	984,420.00	984,420.00	.0
56-40-49020 WOOD LANE/MIRIAM SEWERLINE	.00	.00	.00	.00	.0
56-40-49025 AGUA FRIA SEWER LINE IMP I	.00	.00	.00	.00	.0
56-40-49030 DEBT USDA AGUA FRIA PRINCIPAL	.00	.00	.00	.00	.0
56-40-49031 DEBT USDA AGUA FRIA INTEREST	.00	.00	.00	.00	.0
56-40-49032 WATER TB SPRING TNK REPLACEME	.00	.00	250,000.00	250,000.00	.0
56-40-49033 WATER TB SPRING TANK MATCH	.00	.00	.00	.00	.0
56-40-49034 WATER TB SPRING LOAN	.00	.00	.00	.00	.0
56-40-49041 DEBT 947 WPF PRINCIPAL	.00	.00	104,361.00	104,361.00	.0
56-40-49042 DEBT 947 WPF INTEREST	.00	.00	261.00	261.00	.0
56-40-49043 DEBT 2718 CIF	.00	.00	7,970.00	7,970.00	.0
56-40-49044 DEBT 2975 CIF	.00	.00	3,646.00	3,646.00	.0
56-40-49045 DEBT 3358 CIF	.00	.00	6,150.00	6,150.00	.0
56-40-49046 DEBT 3514 CIF	.00	.00	97,084.00	97,084.00	.0
56-40-49047 DEBT 4628 CIF	.00	.00	3,662.00	3,662.00	.0
56-40-49048 DEBT 5185 CIF	.00	.00	7,678.00	7,678.00	.0
56-40-49050 CAP IMP-SEWER LIFT STATION	.00	.00	30,000.00	30,000.00	.0
56-40-49051 DEBT 5109 WPF PRINCIPAL	.00	.00	20,164.00	20,164.00	.0
56-40-49052 DEBT 5109 WPF INTEREST	.00	.00	1,066.00	1,066.00	.0
56-40-49055 CAP IMP-WATER TANK CONST	.00	.00	.00	.00	.0
56-40-49060 CAP IMP-GRIFFITH SPRING BOOST	.00	.00	.00	.00	.0
56-40-49061 EASTWARD DIST CIF 5185	.00	.00	.00	.00	.0
56-40-49063 WELL DEV-RIVERSIDE SITE	.00	.00	45,000.00	45,000.00	.0
56-40-49066 GOV INNOVATIVE FUNDING IMP	.00	.00	.00	.00	.0
56-40-49070 WTB GRANT CITY CASH MATCH	.00	.00	.00	.00	.0
56-40-49999 DEPRECIATION	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	395.72	9,549.69	1,929,260.00	1,919,710.31	.5

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER & SEWER IMPROVEMENTS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS</u>					
56-99-31043 TRANSFER IN	.00	.00	.00	.00	.0
56-99-31056 30 CHARACTERS	.00	.00	.00	.00	.0
56-99-38056 TRSF W&S FUND	.00	.00	.00	.00	.0
56-99-39039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
56-99-39040 TRSF DEBT	.00	.00	.00	.00	.0
56-99-39053 TRSF SEWER FUND	.00	.00	.00	.00	.0
56-99-41555 TRSF TO F55	.00	.00	.00	.00	.0
56-99-48040 TRSF DEBT	.00	.00	.00	.00	.0
56-99-48043 TRSF COLONIAS	.00	.00	.00	.00	.0
56-99-48053 TRSF SEWER FUND	.00	.00	13,881.00	13,881.00	.0
56-99-48055 TRSF WATER FUND	.00	.00	.00	.00	.0
56-99-48156 TRSF WATER	.00	.00	.00	.00	.0
56-99-49054 TRANSFER	.00	.00	.00	.00	.0
56-99-49055 TRANSFER	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	13,881.00	13,881.00	.0
 TOTAL FUND EXPENDITURES	 395.72	 9,549.69	 1,943,141.00	 1,933,591.31	 .5
 NET REVENUE OVER EXPENDITURES	 18,590.49	 149,328.90	 ( 403,741.00)	 ( 553,069.90)	 37.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SEWER SYSTEM CAP EQUIP & INFRA

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SOURCE 30</u>					
58-30-36400 INTEREST INCOME	202.97	1,617.22	.00	( 1,617.22)	.0
TOTAL SOURCE 30	202.97	1,617.22	.00	( 1,617.22)	.0
<u>REVENUE</u>					
58-36-36010 RESERVE FUND	.00	.00	.00	.00	.0
TOTAL REVENUE	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	202.97	1,617.22	.00	( 1,617.22)	.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

SEWER SYSTEM CAP EQUIP & INFRA

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
58-40-48050 CAP OUT-EQUIPMENT	.00	.00	.00	.00	.0
TOTAL EXPENDITURES	.00	.00	.00	.00	.0
<u>TRANSFERS</u>					
58-99-39053 TRSF SEWER FUND	.00 (	7,448.84) (	15,000.00) (	7,551.16) (	49.7)
58-99-39055 TRSF W & S FUND	.00	.00	.00	.00	.0
58-99-51043 TRSF COLONIAS FUND	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00 (	7,448.84) (	15,000.00) (	7,551.16) (	49.7)
TOTAL FUND EXPENDITURES	.00 (	7,448.84) (	15,000.00) (	7,551.16) (	49.7)
NET REVENUE OVER EXPENDITURES	202.97	9,066.06	15,000.00	5,933.94	60.4

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

ASSET MGT. RESERVE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS</u>					
59-99-31039 TRSF INFRASTRUCTURE	.00	.00	.00	.00	.0
TOTAL TRANSFERS	.00	.00	.00	.00	.0
TOTAL FUND EXPENDITURES	.00	.00	.00	.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	.00	.00	.0

CITY OF RUIDOSO DOWNS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER SECURITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUE</u>					
75-30-35000 WATER METER DEPOSITS	650.00	5,300.00	5,000.00	( 300.00)	106.0
TOTAL REVENUE	650.00	5,300.00	5,000.00	( 300.00)	106.0
<u>MISCELLANEOUS</u>					
75-36-36065 MISC REVENUES	.00	.00	.00	.00	.0
TOTAL MISCELLANEOUS	.00	.00	.00	.00	.0
TOTAL FUND REVENUE	650.00	5,300.00	5,000.00	( 300.00)	106.0

CITY OF RUIDOSO DOWNS  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING FEBRUARY 29, 2024

WATER SECURITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
75-40-46010 MATERIALS & SUPPLIES	.00	.00	.00	.00	.0
75-40-47300 REFUND-DEPOSIT	.00	266.21	2,000.00	1,733.79	13.3
75-40-47310 APPLY DEPOSIT TO ACCOUNT	81.11	2,326.39	3,000.00	673.61	77.6
TOTAL EXPENDITURES	81.11	2,592.60	5,000.00	2,407.40	51.9
TOTAL FUND EXPENDITURES	81.11	2,592.60	5,000.00	2,407.40	51.9
NET REVENUE OVER EXPENDITURES	568.89	2,707.40	.00	( 2,707.40)	.0

## Report Criteria:

Summary report type printed

Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
103	Administrative Office of the	010524	Automation Fee JAN 24	01/05/2024	309.00	.00	309.00	45519	02/08/2024
Total 103:					309.00	.00	309.00		
113	American Oxygen Co, Inc.	327573	Aragon tank	10/05/2023	300.00	.00	300.00	45504	02/08/2024
		327755	5 4 1/2 x 0.5/5 cutoff	10/05/2023	35.25	.00	35.25	45504	02/08/2024
Total 113:					335.25	.00	335.25		
153	Caselle, Inc	020524	SUPP & MAIN JAN 24	02/05/2024	1,974.00	.00	1,974.00	45506	02/08/2024
Total 153:					1,974.00	.00	1,974.00		
200	Foxworth-Galbraith Lumber	2511131	DELIVERY FEE	02/01/2024	519.30	.00	519.30	45523	02/08/2024
Total 200:					519.30	.00	519.30		
261	Greentree Solid Waste Aut	011924	ROLL OFF	01/19/2024	22,187.29	.00	22,187.29	45535	02/27/2024
		022724	FEB EGRT	02/27/2024	8,593.18	.00	8,593.18	45548	02/27/2024
		120095AA3	TRASH	01/01/2024	136.33	.00	136.33	45499	02/01/2024
		120129AA3	TRASH	01/01/2024	320.17	.00	320.17	45499	02/01/2024
		120605AA3	TRASH	01/01/2024	34.08	.00	34.08	45499	02/01/2024
		121118AA3	TRASH	01/01/2024	195.65	.00	195.65	45499	02/01/2024
		214AA3	ROLL OFF	01/01/2024	488.79	.00	488.79	45499	02/01/2024
		3303AAA3	DEC RESIDENTIAL BILLS	01/01/2024	21,012.27	.00	21,012.27	45499	02/01/2024
Total 261:					52,967.76	.00	52,967.76		
396	Taxation & Revenue	013124	JAN WTR SALES GRT	02/26/2024	4,704.95	.00	4,704.95	3000000	02/26/2024
Total 396:					4,704.95	.00	4,704.95		
414	U.S. Postal Service	013124	JAN-UTILITY BILLING MA	01/30/2024	370.68	.00	370.68	45500	02/01/2024
		022224	JANUARY 2024 UTILITY	02/22/2024	.00	.00	.00	45543	02/29/2024
		022924	FEB UT BILLING	02/29/2024	370.68	.00	370.68	45549	02/29/2024
Total 414:					741.36	.00	741.36		
420	Verizon Wireless	9955801851	JANUARY CELL SERVICE	02/03/2024	1,070.86	.00	1,070.86	45544	02/27/2024
Total 420:					1,070.86	.00	1,070.86		
423	Village of Ruidoso	INV11506	CAPITAL RESERVES	01/31/2024	125,510.27	.00	125,510.27	45545	02/27/2024
Total 423:					125,510.27	.00	125,510.27		
424	City Of Ruidoso Downs	1115.4	TERM. #1115.4 - 26355 US	01/30/2024	200.00	.00	200.00	3061	02/08/2024
		1215.1....	DEC.23 WTR/SWR	12/31/2023	128.46	.00	128.46	45507	02/08/2024
		1250.3	TERM. #1250.3 - 201 HIG	01/30/2024	87.46	.00	87.46	3061	02/08/2024
		1320.1	TERM. #1320.1 - MEDINA	01/30/2024	2.96	.00	2.96	3061	02/08/2024
		1380.5	OVERPAYMENT #1380.5 -	01/30/2024	75.00	.00	75.00	3061	02/08/2024
		1521.2	TERM. #1521.2 - 26131 U	01/30/2024	200.00	.00	200.00	3061	02/08/2024
		1672.2	TERM #1672.2 - 195 ADMI	01/30/2024	50.00	.00	50.00	3061	02/08/2024
		2243.1....	DEC.23 WTR/SWR	12/31/2023	3.27	.00	3.27	45507	02/08/2024

Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		3236.9	TERM #3236.9-308 UTAH	01/30/2024	150.00	.00	150.00	3061	02/08/2024
		3905.7	TERM #3905.7 - 115 WRIG	01/30/2024	70.13	.00	70.13	3061	02/08/2024
		4345.1	TERM #4345.1 - 1638 SU	01/30/2024	20.00	.00	20.00	3061	02/08/2024
	Total 424:				987.28	.00	987.28		
426	CORE & MAIN LP	U308698	H14118N-2A 5/8X3/4X18 R	02/14/2024	2,984.43	.00	2,984.43	45533	02/27/2024
	Total 426:				2,984.43	.00	2,984.43		
430	Zia Natural Gas	...2212800-0	NATURAL GAS	02/01/2024	168.96	.00	168.96	45527	02/08/2024
		...2212801-0	NATURAL GAS	02/01/2024	113.88	.00	113.88	45527	02/08/2024
		..202119-00..	NATURAL GAS	02/01/2024	223.36	.00	223.36	45527	02/08/2024
		..2201579-00	NATURAL GAS	02/01/2024	1,838.86	.00	1,838.86	45527	02/08/2024
		..2202563-00	NATURAL GAS	02/01/2024	660.65	.00	660.65	45527	02/08/2024
		..2204059-00	NATURAL GAS	02/01/2024	214.63	.00	214.63	45527	02/08/2024
		.202118-00..	NATURAL GAS	02/01/2024	212.01	.00	212.01	45527	02/08/2024
		.2212057-00..	NATURAL GAS	02/01/2024	86.78	.00	86.78	45527	02/08/2024
		220737-00..	NATURAL GAS	02/01/2024	470.37	.00	470.37	45527	02/08/2024
		2208905-00..	NATURAL GAS	02/01/2024	1,107.68	.00	1,107.68	45527	02/08/2024
	Total 430:				5,097.18	.00	5,097.18		
773	LexisNexis	2436530611	REFUND UNABLE TO LO	01/22/2024	5.00	.00	5.00	45537	02/27/2024
	Total 773:				5.00	.00	5.00		
778	WEX Bank	94994980	FUEL	02/02/2024	4,640.56	.00	4,640.56	45547	02/27/2024
	Total 778:				4,640.56	.00	4,640.56		
884	Continental Pest Control *	81770	JAUNUARY- PEST CONT	02/12/2024	135.23	.00	135.23	45532	02/27/2024
	Total 884:				135.23	.00	135.23		
1099	Wagner Equipment Compa	B5760201	TRENCHER FOR SKID ST	02/06/2024	8,535.00	.00	8,535.00	45546	02/27/2024
	Total 1099:				8,535.00	.00	8,535.00		
1298	Document Solutions, Inc.	295352	OCT.23 GRT	10/02/2023	290.19	.00	290.19	45498	02/01/2024
	Total 1298:				290.19	.00	290.19		
1301	Staples Advantage	3550045344/	PRINTER INK,PAPER, WA	02/06/2024	826.40	.00	826.40	45503	02/06/2024
	Total 1301:				826.40	.00	826.40		
1879	PNM	...1311939-3..	ELECTRIC JANUARY 202	02/07/2024	28.05	.00	28.05	45525	02/08/2024
		..2139012-7.	ELECTRIC JANUARY 202	02/07/2024	29.91	.00	29.91	45525	02/08/2024
		012924	ELECTRIC JANUARY 202	01/29/2024	4,323.35	.00	4,323.35	45525	02/08/2024
	Total 1879:				4,381.31	.00	4,381.31		
2359	H John Underwood Ltd	013124	LEGAL SVC'S JANUARY	01/31/2024	13,401.23	.00	13,401.23	45502	02/06/2024
	Total 2359:				13,401.23	.00	13,401.23		

Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
2410	Dennis Engineering Comp	9465	L200570 PARK LN CONST	12/19/2023	3,874.50	.00	3,874.50	45497	02/01/2024
		9585	Preliminary Desing Phase	02/08/2024	150.59	.00	150.59	45534	02/27/2024
		Total 2410:				4,025.09	.00	4,025.09	
3233	TDS	8224300130	TDS SERVICES FEBRUA	02/01/2024	17.26	.00	17.26	45508	02/08/2024
		8224300130	TDS SERVICES FEBRUA	01/18/2024	155.00	.00	155.00	45508	02/08/2024
		8224300335	TDS SERVICES FEBRUA	02/01/2024	130.95	.00	130.95	45508	02/08/2024
Total 3233:				303.21	.00	303.21			
3237	WAGE WORKS, INC	0124-DR454	COBRA JANUARY	02/06/2024	100.00	.00	100.00	45509	02/08/2024
Total 3237:				100.00	.00	100.00			
3298	Principal Life Insurance Co	030124	MARCH- LIFE INSURANC	02/16/2024	1,649.29	.00	1,649.29	45540	02/27/2024
Total 3298:				1,649.29	.00	1,649.29			
3320	INN OF THE MOUNTAIN	020124	POLICE VEHICLE CAR W	02/01/2024	36.00	.00	36.00	45536	02/27/2024
Total 3320:				36.00	.00	36.00			
3385	Cigna c/o Wells Fargo Ban	012924	JANUARY 24 HEALTH INS	01/29/2024	50,259.98	.00	50,259.98	45531	02/27/2024
Total 3385:				50,259.98	.00	50,259.98			
3405	Big O Tires	1521.2.	REFUND - TERM. #1521.2	01/30/2024	43.28	.00	43.28	Multiple	Multiple
Total 3405:				43.28	.00	43.28			
3466	Omega Industrial Supply In	154919	G3011-DR55 MEGA LIFT	02/01/2024	3,376.00	.00	3,376.00	45538	02/27/2024
Total 3466:				3,376.00	.00	3,376.00			
3498	Carr, Riggs & Ingram, LLC	17853892	GRT AUDIT SVC'S FY23	01/16/2024	5,867.79	.00	5,867.79	45496	02/01/2024
		17867872	GRT AUDIT SVC'S FY23	01/31/2024	2,934.44	.00	2,934.44	45505	02/08/2024
Total 3498:				8,802.23	.00	8,802.23			
3522	Proctor, Terence L	020724	100% MILEAGE SANTA F	02/08/2024	285.56	.00	285.56	45541	02/27/2024
Total 3522:				285.56	.00	285.56			
3563	4 RIVERS HOLDING, LLC	1585322	02-4014B FAN MOTOR 14	02/14/2024	1,194.40	.00	1,194.40	45528	02/27/2024
Total 3563:				1,194.40	.00	1,194.40			
3575	Harvey Fuels Inc.	2023-143	LOW SULFUR DIESEL (D	08/10/2023	1,453.78	.00	1,453.78	45524	02/08/2024
Total 3575:				1,453.78	.00	1,453.78			
3643	Spectrum Imaging Technol	1408971	GRT C478IFZ MC	02/01/2024	289.41	.00	289.41	45526	02/08/2024
		1408972	GRT C478TFZ PD	02/01/2024	198.30	.00	198.30	45526	02/08/2024
		1408973	GRT C5850I ADMIN	02/01/2024	401.95	.00	401.95	45526	02/08/2024

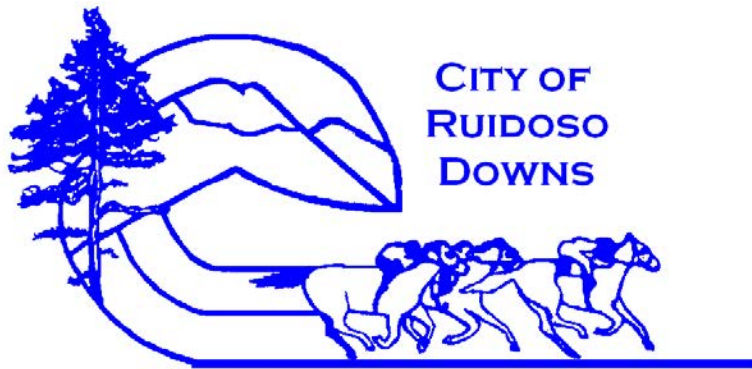
Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 3643:					889.66	.00	889.66		
3649	C&R Distributing, LLC	IN-240127	DELIVERY	01/30/2024	865.50	.00	865.50	45495	02/01/2024
Total 3649:					865.50	.00	865.50		
3651	Quadient Leasing USA, Inc	020724	POSTAGE	02/07/2024	1,500.00	.00	1,500.00	45542	02/27/2024
Total 3651:					1,500.00	.00	1,500.00		
3666	Parts Unknown	010924	WORK BOOTS-MARK BA	01/09/2024	150.00	.00	150.00	45539	02/27/2024
Total 3666:					150.00	.00	150.00		
3734	Alcohol Monitoring System	294495	OCT-ANKLE MONITOR	10/31/2023	96.23	.00	96.23	45493	02/01/2024
		302137	ANKLE MONITORING SY	01/31/2024	88.68	.00	88.68	45520	02/08/2024
Total 3734:					184.91	.00	184.91		
3772	Canon Stevens	013124	CORD VS TOY MADRIL 2	01/31/2024	324.38	.00	324.38	45522	02/08/2024
		TH00042	CORD VS TAIJIA HAMME	02/23/2024	648.75	.00	648.75	45530	02/27/2024
		THORST000	GRT 8.125%	02/23/2024	648.75	.00	648.75	45530	02/27/2024
Total 3772:					1,621.88	.00	1,621.88		
3778	Autus Technology, LLC	INV38504	JANUARY PHONE SERVI	01/01/2024	654.40	.00	654.40	45521	02/08/2024
Total 3778:					654.40	.00	654.40		
3780	Baeza, Harvey	1380.5.	REFUND- OVERPAYMEN	01/30/2024	46.75	.00	46.75	3059	02/08/2024
Total 3780:					46.75	.00	46.75		
3781	Medina, Leon	1320.1.	REFUND -TERM. 1320.1-2	01/30/2024	7.04	.00	7.04	3062	02/08/2024
Total 3781:					7.04	.00	7.04		
3782	Pedroza, Liliana	3905.7.	REFUND - TERM 3905.7 -	01/30/2024	79.87	.00	79.87	3063	02/08/2024
Total 3782:					79.87	.00	79.87		
3785	Tafoya, Rick	1250.3	REFUND - TERM #1250.3	01/30/2024	62.54	.00	62.54	3064	02/08/2024
Total 3785:					62.54	.00	62.54		
3804	BABER, WALTER G.	020624	80% MILEAGE SANTA FE	02/06/2024	206.46	.00	206.46	45501	02/06/2024
		022224	20% MILEAGE SANTA FE	02/22/2024	51.61	.00	51.61	45529	02/27/2024
Total 3804:					258.07	.00	258.07		
Grand Totals:					307,266.00	.00	307,266.00		

Vendor Number	Name	Invoice Number	Description	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
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## Report Criteria:

Summary report type printed





**PUBLIC WORKS DEPARTMENT**  
**MONTH END REPORT**

**FEBRUARY 2024**

**SUBMITTED BY:**

**ISRAEL CHAVEZ**  
**DEPUTY PUBLIC WORKS DIRECTOR**

SIGNATURE: Israel Chavez DATE: 03/15/2024

**P.O. 348 RUIDOSO DOWNS, NEW MEXICO 88346**  
**OFFICE: 575-378-6162 FAX: 575-378-6163**

## **PUBLIC WORKS PROJECTS**

- *East and West Circle project is on suspension until mid March.*
- *Public Works began preparing and moving sheds to prepare for Park Paving project scheduled to begin ASAP. Renegade construction was awarded the project for low bid.*
- *PW met with Desert West enterprises to get prices for streets to be Micro sealed for TPF maintenance project.*

### **Current Grants:**

- *Colonia's CiF 5789 – East and West Circle Improvements \$1,823,000.00. Awaiting Materials for job*
- *CDBG 22-C-RS-01-G-09\_– Valley View Improvements \$750,000.00. Design Phase*
- *CDBG 23-ZH505-18 – Valley View Cash Match \$37,500.00. Design Phase*
- *CDBG 22-C-RS-I-06-101 – Asset Management Plan \$50,000.00. Awarded to Engineer*
- *NM DOT L200570 – Park Lane and Westview Dr. Road Improvements \$266,667.00. Finishing Close out docs*
- *NM DOT L200598 – South Central Road Improvements \$160,440.00. Work to begin in late winter*
- *NM DOT L200619 – Harris Lane Road Improvements \$346,667.00. Design Phase*
- *Cap. Outlay 22- G-2888 New City Hall \$500,000.00 In design phase.*

- **Cap. Outlay 22-G2889 Museum Repairs \$275,000.00**  
Currently under construction.
- **Cap. Outlay 23-H3063 New City Hall \$670,500.00**  
Work to hopefully begin in the late summer.

### **Newly Awarded Grants:**

- **NM DOT TPF LP20045 -Chip Seal Various Roads \$139,000.00.**  
Begin in the Summer of 2024
- **NM DOT TPF LP20046 –\_Reservoir Dr. Road Improvements - \$238,000.00\_**Begin in the Summer of 2024.

### **Public Works Departments**

#### ***Senior Maintenance Tech:***

Equipment repairs, general maintenance, purchased supplies and equipment as needed, checked all emergency generators, purchase materials and supplies, open museum and assist contractor when needed on reno project, worked on sealing sky lights at museum, security camera project at Public Works, PD work orders, VFD project at Riverside well, move sheds at AA park for upcoming project, worked on listings for Gov deals, met with TDS for Public Works and museum service line, picked up materials, parts and supplies, repair East circle sewer station, PD evidence building door repairs, PD breakroom remodel, installed Blink cameras for courts, and City hall repairs.

#### **(5) Work Orders**

#### ***Garage:***

Cleaned shop, repaired and serviced PD, Fire Dep, Park, Streets and Water dept vehicles, searched for supplies prices and as well as ordering them, fabricated dog cage for animal control, dismounted and mounted tires for general truck and mac truck, replaced starter on Peterbilt, reorganized storage container, inventory for filters, picked up material in Corona, repaired transmission cooler lines on snowplow truck, replaced load tarp on dump truck, power washed belly dump to expose rusted areas, installed new engine on compressor, installed new AC condenser on Broce broom,

## (2) Work Orders.

### ***Parks:***

Daily rounds checking parks, pick up trash, clean restrooms etc., general park maintenance at Riverside Park, All American Park, museum monument, Heights Park and City Hall, review cameras for vandalism, set gopher traps and fill in gopher holes, prepped walking path at AA for patching, cleaned graffiti at AA park, worked on bathroom heaters, hauled base course from Cloudcroft, worked on dump truck, inventory, diagnose and repair toilet at Riverside park bathroom, helped with installation of cameras at PW, helped with repairs at PD and evidence room, moved beautification shed at AA Park, and prepared Parks shed to be moved.

### ***Streets:***

Patch potholes as needed, sweep streets as needed, picked up trash along Hwy 70, assist other departments when needed, assist with museum projects, snow plow and salt roads after winter weather events, helped with water truck repairs, prepped walkway at AA park for patching, found and exposed septic tank for AA park shop, worked on transmission cooler line on snow plow truck, hauled base course from Cloudcroft gravel pit, assisted Parks dep with moving tuff shed at AA park, worked w/parks dept removing equip from shed, reorganized storage container and built new shelves for filters, moved items out of Green room at the museum, stock pile hauled base course.

## (0) Work Order

### ***Street Signs:***

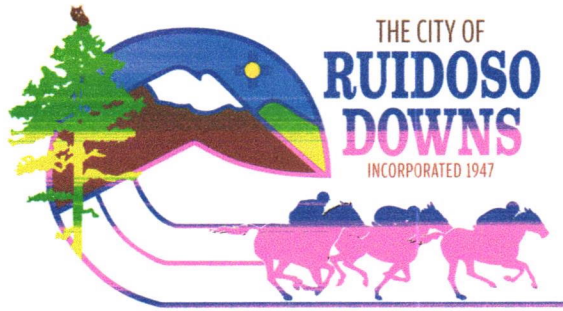
Replaced knocked down signs citywide as needed.

### ***Water and Wastewater:***

Daily Rounds, work orders, and locates, repair leaks, exercised water valves, cleaned Spring shop and vehicles, shut offs and turn-ons. Installed sewer and water taps, flushed fire hydrants as needed, cleaned ALL lift stations, safety meetings, met with engineers to look over problem areas in sewer line for asset management plan, placed rip-rap in washout at 309 Parker, cleaned equipment, replaced #2 pump at East Circle lift station and replaced frost free hydrant, assisted Coats pump service with VFD install at Riverside well, attended pipeline safety class, remove roots from spring house inlet, clean meter screen and chlorinator, place bollards around hydrant at 26157 Hwy 70,

helped with moving items at museum, replaced bad fire hydrant at hwy70 and West Drive, and repaired valve box at West dr. and Allison Lane.

(33) Work Orders and (12) Standard locates (1) Emergency Locates



# **CITY OF RUIDOSO DOWNS**

## ***Planning and Zoning Department***

### **MONTH END REPORT**

**February 2024**

  
**Jennet Recendez**  
**Planning Services Director**

***Planning and Zoning Department Recap***

***Building Permits***

***Planning & Zoning Cases***

***Year to Date Comparison of Building Permits***

***State of New Mexico Valuation Report***

***Sign Permits***

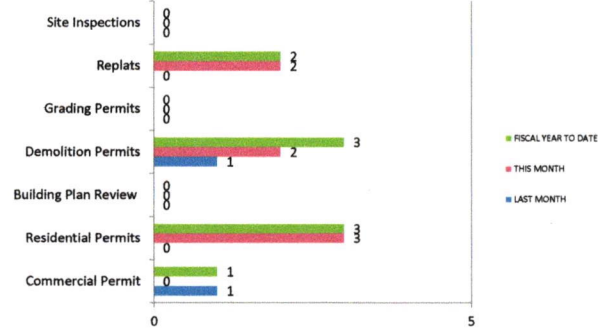
***Mobile Homes/Manufactured Home Permits***

***Animal Licenses***

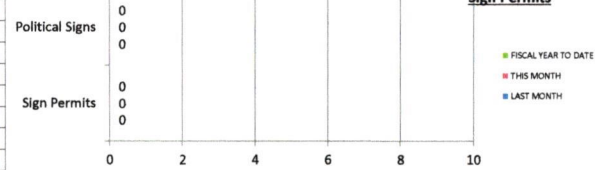
# Planning & Zoning Department Recap

January 2024

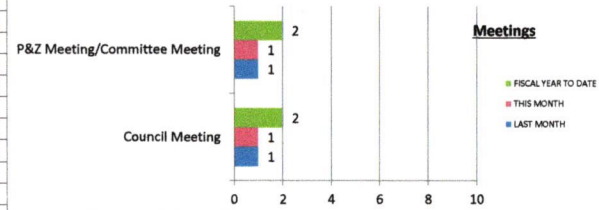
## Building Permits



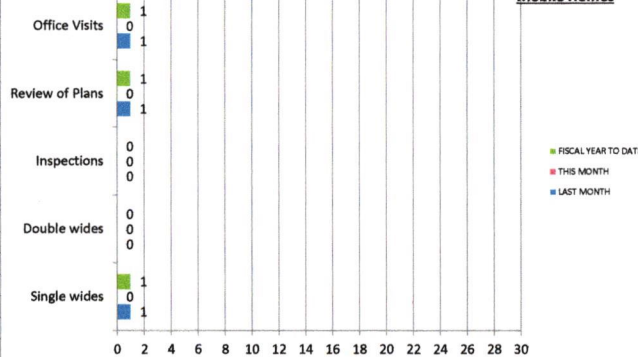
## Sign Permits



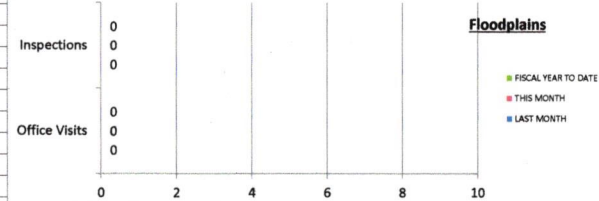
## Meetings



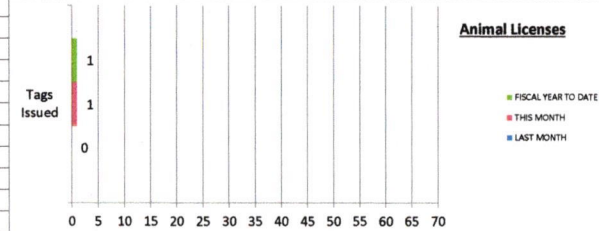
## Mobile Homes



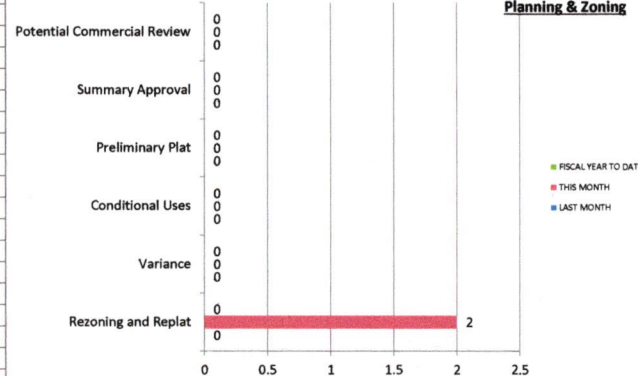
## Floodplains



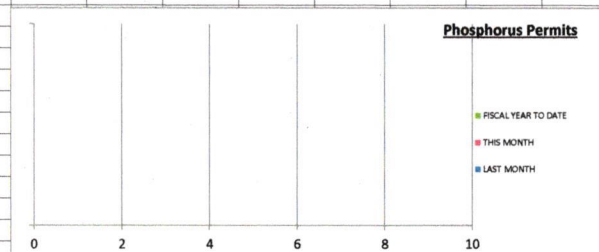
## Animal Licenses



## Planning & Zoning



## Phosphorus Permits



# Planning & Zoning Department Recap

February 2024

	LAST MONTH	THIS MONTH	FISCAL YEAR TO DATE
<b>Building Permits</b>			
Commercial Permit	1	0	1
Residential Permits	0	3	3
Building Plan Review	0	0	0
Demolition Permits	1	2	3
Grading Permits	0	0	0
Replats	0	2	2
Site Inspections	0	0	0
Fees Collected	\$60.00	\$169.00	\$229.00
<b>Mobile Homes</b>	0	0	0
Single wides	1	0	1
Double wides	0	0	0
Inspections	0	0	0
Review of Plans	1	0	1
Office Visits	1	0	1
Fees Collected	<del>\$0.00</del> 25.00	\$0.00	\$25.00
<b>Planning &amp; Zoning</b>			
Rezoning and Replat	0	2	0
Variance	0	0	0
Conditional Uses	0	0	0
Preliminary Plat	0	0	0
Summary Approval	0	0	0
Potential Commercial Review	0	0	0
Fees Collected	\$0.00	\$24.00	\$0.00
<b>Sign Permits</b>			
Sign Permits	0	0	0
Political Signs	0	0	0
Fees Collected	\$0.00	\$0.00	\$0.00
<b>Meetings</b>			
Council Meeting	1	1	2
P&Z Meeting/Committee Meeting	1	1	2
Economic Development	0	1	1
<b>Floodplains</b>			
Office Visits	0	0	0
Inspections	0	0	0
<b>Animal Licenses</b>			
Tags Issued	0	1	1
.	\$0.00	\$2.50	\$2.50

### 2024 Numbers

[illegible]

**RUIDOSO DOWNS, NEW MEXICO**

Date	P&Z Case #	Name-Address	Fee	P&Z	Council
January	2023-11	Ontiveroz 26557 Hwy 70 Conditional Use	\$100.00	Yes	No
	2023-12	Irons 26482 Hwy 70 Replat	\$12.00	Yes	No
February	2024-R-1	Beavers 100 Beavers Replat	\$ 12.00	Yes	No
	2024-R-2	Patton 26440 US Hwy 70 Replat	\$ 12.00	Yes	No
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
			\$136.00		

### Comparison of Building Permits

Ruidoso Downs, NM

## Year to Date Monthly Report

[illegible]



**Michelle Lujan Grisham**

GOVERNOR

**Linda M. Trujillo**

SUPERINTENDENT

**Clay Bailey**

DIRECTOR

**Construction Industries Division**

2550 Cerrillos Road 87505

P.O. Box 25101 Santa Fe, New Mexico 87504-5101

(505) 476-4691

**MONTHLY COMPILATION OF PERMITS ISSUED  
POLITICAL SUBDIVISION**

CITY OR COUNTY Ruidoso Downs		MAILING ADDRESS P.O. Box 348 Ruidoso Downs, NM 88346		TELEPHONE NUMBER 575-378-1342	
		MONTH OF FEBRUARY		YEAR TO DATE 2024	
DESCRIPTI ON	NO. OF PERMITS	VALUATION	NO. OF PERMIT S	VALUATION	
NEW SINGLE FAMILY DWELLINGS	1	\$170,000.00	1	\$170,000.00	
RESIDENTIA L ADDITIONS/ ALTERATION S	2	\$36,000.00	2	\$36,000	
NEW COMMERCIA L BUILDINGS	0	\$0.00	0	\$0.00	
COMMERCIA L ADDITIONS/ ALTERATION S	0	\$80,000.00	1	\$80,000	
DEMOLITION S	2	\$0.00	3	\$0	
NEW FIRE STATIONS	0	\$0.00	0	\$0.00	
NEW CHURCHES	0	\$0.00	0	\$0.00	
CHURCH ADDITIONS/ ALTERATION S	0	\$0.00	0	\$0.00	
NEW SCHOOLS	0	\$0.00	0	\$0.00	
SCHOOL ADDITIONS/ ALTERATION S	0	\$0.00	0	\$0.00	
NEW APARTMENT S	0	\$0.00	0	\$0.00	
APARTMENT ADDITIONS/ ALTERATION S	0	\$0.00	0	\$0.00	

SKI LODGES	0	\$0.00	0	\$0.00
NEW HOSPITALS & NURSING HOMES	0	\$0.00	0	\$0.00
HOSPITAL & NURSING HOMES ADDS. /ALTS.	0	\$0.00	0	\$0.00
MINES				
OTHER/ MOBILE HOMES		0	1	0
TOTALS	5	\$80,000.00	9	\$286,000

TOTAL FEES

\$145		\$238.00
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[illegible]

**City of Ruidoso Downs  
Mobile Home Permits  
2024  
Jan-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>
1/18/2024	2024-SP-3	Mario Portillo	14x64	205 Reservoir	\$25.00	\$25.00

**Feb-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**Mar-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**Apr-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**May-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**Jun-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**Jul-24**

<u>DATE</u>	<u>PERMIT #</u>	<u>NAME</u>	<u>SIZE OF HOME</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>FYTD</u>

**ANIMAL LICENSES**  
**RUIDOSO DOWNS, NEW MEXICO**  
**2024**

[illegible]

# **AGENDA MEMORANDUM**

## **CITY OF RUIDOSO DOWNS**

PUBLIC HEARING: - A.

**To:** Mayor Holman and Councilors

**Presenter(s):** Fire Chief

**Meeting Date:** March 25, 2024

**Re:** Adoption of Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting the 2023 Lincoln County Multi- Jurisdictional Hazard Mitigation Plan Update.

---

### **Item Summary:**

The Lincoln County Multi-jurisdictional Hazard Mitigation Plan Update (HMP) has been developed by the multi-jurisdictional Planning Team and meets all federal regulation requirements. The final draft of the HMP is now being brought to each jurisdiction's governing body for approval.

The outline of the HMP was presented to the governing bodies in the spring of 2023 and community input was solicited in the summer 2023. Having the approved HMP provides each jurisdiction with a federal government approved and locally adopted plan which will support grant applications to implement natural hazard risk reduction projects and outreach.

The 2018 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan expired on July 24, 2023. The 2023 HMP is the result of an update process performed by the six participating jurisdictions.

Five of the six jurisdictions adopted the December 2023 version of the Hazard Mitigation Plan (HMP).

The City of Ruidoso Downs Governing Body:

- January 22, 2024, postponed the adoption to the February 12th Regular Meeting.
- February 12, 2024, requested for a temporary HMP Committee to be formed at the February 26, 2024, Regular Meeting and postponed adoption to the March 25, 2024, Regular Meeting.
- February 26, 2024, annulled the HMP Committee and requested for a public hearing to be scheduled for the March 25, 2024, Regular Meeting.

### **Financial Impact:**

This item has no financial impact.

### **Recommendations:**

To approve, Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting the 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update.

**ATTACHMENTS:**

## Description

Res. 2024-03 Lincoln County Mitigation

Notice of Public Hearing HMP

HMP\_Status\_January\_30\_\_2024 (1)

HMP Status February 12, 2024

LincolnCo\_HMP-Adoption\_Ruidoso\_Downs\_01152024 (1)

Multi-Jurisdictional\_Hazard\_Mitigation\_Plan (2)

**CITY OF RUIDOSO DOWNS  
RESOLUTION 2024-03**

**A RESOLUTION OF THE CITY OF RUIDOSO DOWNS ADOPTING THE 2023 LINCOLN  
COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

**WHEREAS** the City of Ruidoso Downs Governing Body recognizes the threat that natural hazards pose to people and property within Ruidoso Downs; and

**WHEREAS** the City of Ruidoso Downs has prepared a multi-hazard mitigation plan, hereby known as 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

**WHEREAS** the 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Ruidoso Downs from the impacts of future hazards and disasters; and

**WHEREAS** adoption by the City of Ruidoso Downs Governing Body demonstrates its commitment to hazard mitigation and achieving the goals outlined in the 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
CITY OF RUIDOSO DOWNS, NEW MEXICO, THAT:**

Section 1. The City of Ruidoso Downs Governing Body hereby adopts the 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update. While content related to Ruidoso Downs may require revisions to meet the plan approval requirements, changes occurring after adoption will not require Ruidoso Downs to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

**PASSED, APPROVED, and ADOPTED** this 25<sup>th</sup> day of March 2024 in regular session by the City of Ruidoso Downs Governing Body, at Ruidoso Downs, Lincoln County, New Mexico.

(SEAL)

\_\_\_\_\_  
Dean Holman, Mayor

ATTEST: \_\_\_\_\_  
Alejandra L. Giron, MMC  
City Clerk/Treasurer

City of Ruidoso Downs

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Governing Body of the City of Ruidoso Downs has scheduled a Public Hearing in conjunction with their regular scheduled meeting on March 25, 2024, beginning at 5:30 p.m. at the Council Chambers, The Hubbard Room, 123 Downs Drive, Ruidoso Downs, New Mexico.

Resolution 2024-03, a Resolution of the City of Ruidoso Downs adopting the 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update.

WITNESS my hand and the seal of the City of Ruidoso Downs on this 29th day of February 2024.

(SEAL)

Alejandra L. Giron, MMC  
City Clerk/Treasurer

Published Ruidoso News  
Friday, March 8, 2024

Hello to the Lincoln County Hazard Mitigation Planning Team – Big excitement in the hazard mitigation planning world! Five of the six jurisdictions adopted the December 2023 version of the Hazard Mitigation Plan (HMP). Ruidoso Downs postponed the adoption to the February 12<sup>th</sup> City Council Meeting. So, we have one more to go. In the meanwhile, last week we received the Approval Pending Adoption notification from FEMA. So, we know that the only additional changes to be made will be to update some of the Planning Team Members and make a few formatting corrections.

Please keep in mind that the December 2023 version of the Hazard Mitigation Plan was adopted by the governing bodies and the final version will be approved by FEMA in February 2024. We plan to include the following narrative in the adoption section of the HMP. If your community wants to see different wording, please let us know as soon as possible.

*The December 2023 version of the HMP was adopted by the governing bodies and the final FEMA approved version is dated February 2024. There were no conceptual or substantive changes made between December 2023 and February 2024. The only changes made were to format and contact lists.*

On a related topic, the most recent version of the Planning Team list can be found at  [LincolnCo HMP-Planning Team List 01302024.pdf](#) . It includes Mayor Davalos from Capitan and Fire Chief Keck from Ruidoso Downs. Welcome to the team!

Please let me know if you have questions or if you have trouble accessing the Planning Team listing. Hope the new year has been off to a great start, Wendy

**Wendy M. Blackwell, MRP, CFM**  
Lincoln County Hazard Mitigation Plan Lead

**SWCA Environmental Consultants**  
7770 Jefferson Street NE, Suite 410  
Albuquerque, NM 87109  
505.469.8683  
[wendy.blackwell@swca.com](mailto:wendy.blackwell@swca.com)



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## Ally Giron

---

**From:** Wendy Blackwell <Wendy.Blackwell@swca.com>  
**Sent:** Monday, February 12, 2024 1:21 PM  
**To:** Ally Giron; Jennet Recendez  
**Cc:** Joe Kasuboski (JoeKasuboski@ruidoso-nm.gov); Eric Queller (EricQueller@ruidoso-nm.gov)  
**Subject:** Federal regulation citation for Item 9.A. - RE: County Mitigation Plan status up-date

Hello Again Ladies – In case it is helpful for the discussion of keeping item 9.A. on the agenda, the following is the federal regulation that needs to be met for community engagement. It does not provide any specifics about a ‘public hearing’, although I did use those words when speaking with Councilor Lacewell. I apologize for making this all more complicated than it needed to be. As I discussed with you both this morning, the other communities that adopted the hazard mitigation plan provided the second opportunity for the community to comment at the governing body meeting when the resolution to adopt was passed. I will be available by Zoom starting at 2pm to help when/if needed, Wendy

### 44 CFR § 201.6 Local Mitigation Plans

(b) Planning process. An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process must include:

- (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;

**Wendy M. Blackwell, MRP, CFM**  
Climate and Resilience Senior Lead

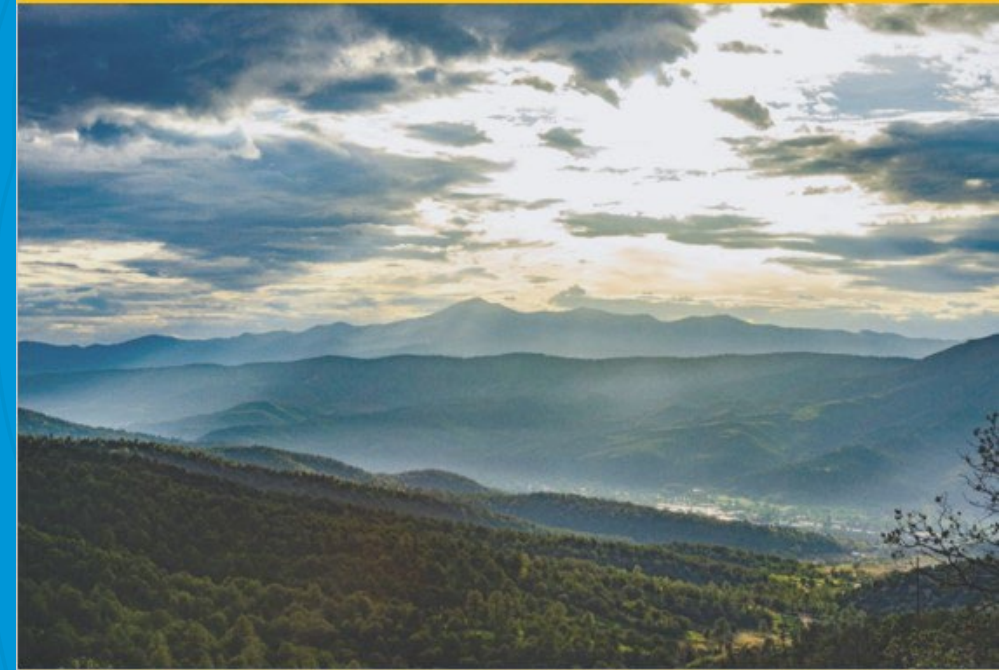
**SWCA Environmental Consultants**  
7770 Jefferson Street NE, Suite 410  
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[wendy.blackwell@swca.com](mailto:wendy.blackwell@swca.com)



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# Lincoln County Multi-jurisdictional Hazard Mitigation Plan 2023 Update

## MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE



Lincoln County, Village of Ruidoso,  
City of Ruidoso Downs, Town of Carrizozo,  
Village of Capitan, and Village of Corona

January 2024

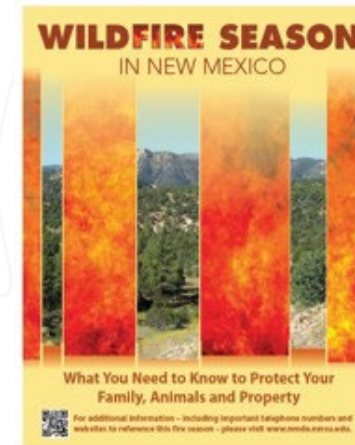
PREPARED BY  
SWCA Environmental Consultants

**City of Ruidoso Downs**

**Adoption Resolution Presentation January 22, 2024**

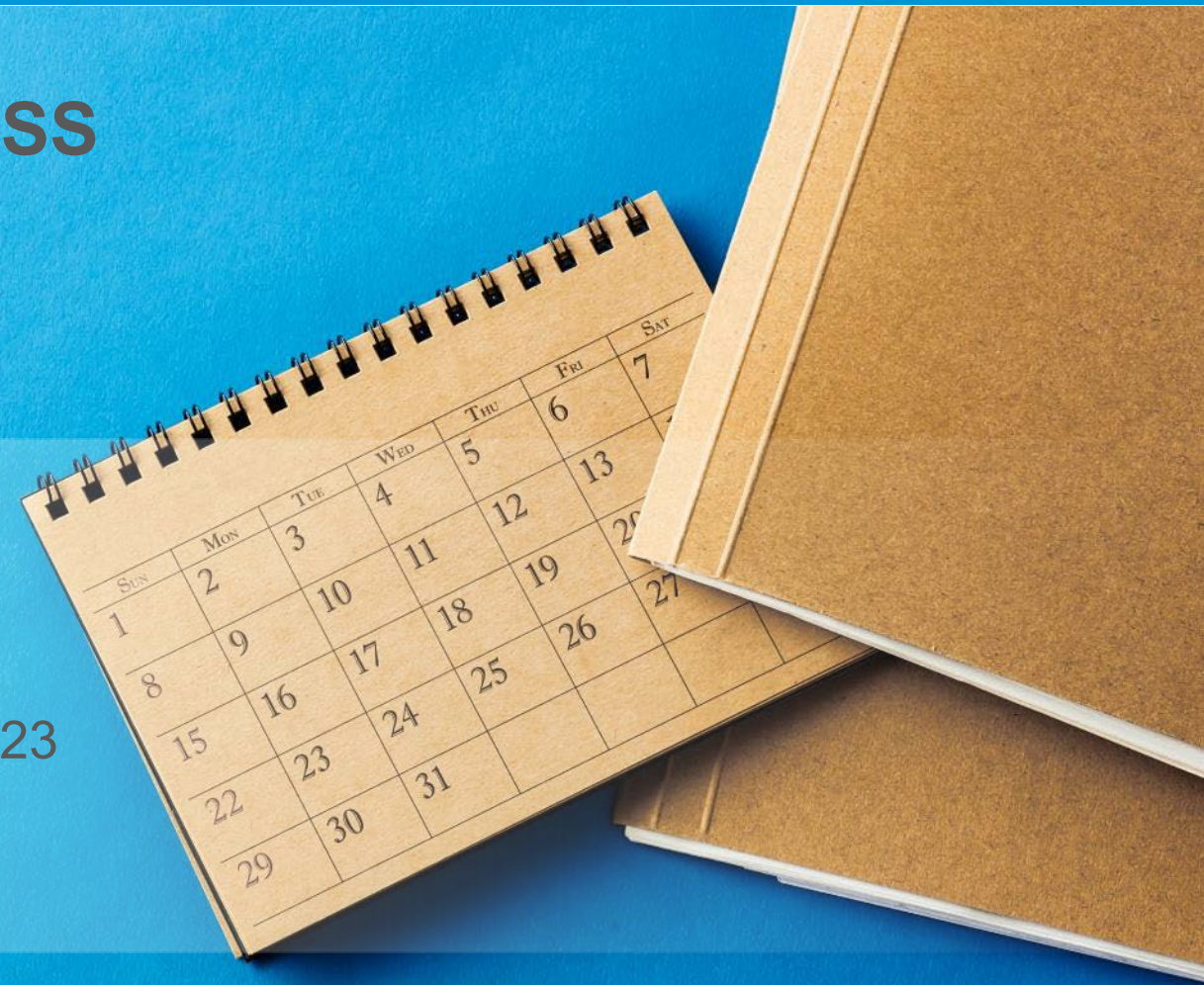
# NATURAL HAZARD MITIGATION OVERVIEW

- Mitigation lessens the impact of natural disasters by
  - ✓ taking action now to reduce the impact of future disasters
  - ✓ supporting protection and prevention activities
  - ✓ reducing injury and property damage
- Successful mitigation planning and implementation
  - ✓ lessens emergency response time
  - ✓ speeds recovery
  - ✓ creates better prepared and resilient communities



# TIMELINE FOR PLANNING PROCESS

- Governing Body presentations March/April 2023
- Stakeholder engagement throughout
- Community Meeting June 2023
- State/FEMA review August through December 2023
- Governing Body adoption January 2024
- FEMA approval anticipated February 2024



# 2024 MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

- Meets requirements of 44 Code of Federal Regulations 201.6
- Will be approved for a 5-year period
- Meets the plan eligibility requirement for FEMA's hazard mitigation grants

## Hazards profiled for each community

Hazard	Lincoln County	Village of Ruidoso	City of Ruidoso Downs	Town of Carrizozo	Village of Capitan	Village of Corona
Wildfire	X	X	X	X	X	X
Flood	X	X	X	X	X	Not profiled
Thunderstorms	X	X	X	X	X	X
Winter Storms	X	X	X	X	X	X
High Wind	X	X	X	X	X	X
Drought	X	X	X	X	X	X
Dam Failure	X	X	X	Not profiled	Not profiled	Not profiled

# MITIGATION ACTIONS

- edited from the 2018 Hazard Mitigation Plan based on current policy and need\
- added based on current policy and need
- will be implemented as adequate resources are available and as community leadership deems appropriate. There is no obligation to implement any of the actions.
- prioritization was completed by your community's Planning Team representatives and was based on STAPLE+E considerations
  - ✓ Social
  - ✓ Technical
  - ✓ Political
  - ✓ Legal
  - ✓ Economic
  - ✓ Environmental (**STAPLE+E**)
- The action chart for your community is shown on the next few slides



Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RDC1	High	Create a thinned buffer zone with hazardous fuels reduction bordering the city limits. Examples include the Turkey Canyon area and the Wood Lane area.	Wildfire	Medium	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, BRIC, HMGP, HMGP-PF, CWDG	No action, Keep
RDC2	High	Upgrade current water delivery system pipe material and diameter size to increase efficiency of water delivery. Increase in water supply will help to reduce impacts of wildfire and drought.	Wildfire, Drought	Medium	Short-term	City of Ruidoso Downs Public Works Director	CDBG, city budget, State grants and loans, USDA, BRIC, HMGP	New
RDC3	High	Increase the capacity of culverts and drainage ditches in the Ruidoso Gardens subdivision to pass high flows of the Rio Ruidoso. Phase One is to conduct a PER to determine project design criteria. Phase Two would be preparation of construction drawings, permitting, and implementation.	Flood	Medium	Long-term	City of Ruidoso Downs Public Works Director	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC4	Low	Improve drainage on roads and highways in flood prone areas to reduce impacts. Phase One is to conduct a PER to determine priority project locations and design criteria. Phase Two would be preparation of construction drawings, permitting, and implementation for the highest priority locations.	Flood	Medium	Long-term	City of Ruidoso Downs Public Works Director	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC5	Medium	Harden the Emergency Services Communication antenna against lightning.	Thunderstorms	High	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC6	High	Harden the Emergency Services Communication antenna against severe winds.	High Wind	High	Medium-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RDC7	Medium	Conduct public outreach to raise awareness of threats from drought and how citizens can mitigate the impact of drought. This action can include a series of public meetings with local and visiting subject matter experts to educate the public on drought and its impacts on water availability, fire danger, flora and fauna impacts, wildlife impacts and how citizens can cope with these impacts.	Drought	Low	Ongoing	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC8	High	Improve early warning capability by installing two new hazard sirens. This will give the community and its residents the opportunity to take protective measures to move personal property, vehicles, and people out of harm's way.	Flood, Thunderstorms, Dam Failure	Low	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC9	High	Upgrade existing generators in government buildings to ensure essential functions can continue during power outages. Upgrades must be made to the capacity and connections of existing generators. This will reduce the community's impacts from flood, thunderstorms, high winds, and winter storms.	Flood, Thunderstorms, Winter Storms, High Wind	Medium	Medium-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC10	Medium	Conduct public outreach and awareness on the early warning system and the effects of wildfire, flood, thunderstorms, winter storms, high wind, and dam failures. Inform citizens on how to mitigate their homes and property against thunderstorms and dam failures.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Dam Failure	Low	Ongoing	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep

# NEXT STEPS

- Adoption by each community
- Submittal of Adoption Resolutions to FEMA
- FEMA issues Approval Letter
- Final formatting and edits
  - ✓ Approval Letter, Approval Review Tool, Adoption Resolutions get incorporated
  - ✓ Adoption Resolution dates get added to page 16
  - ✓ Formatting of Table of Contents to update links
- Plan gets posted on Village of Ruidoso website
- Notice goes out to the community on availability
- Communities are eligible to apply for FEMA funds
- Implementation of high priority actions begins and Mitigation Plan maintenance begins

# Thank you!

## **Planning Team Primary Contacts**

**Village of Ruidoso;** Joe Kasuboski, Fire Chief, [JoeKasuboski@ruidoso-nm.gov](mailto:JoeKasuboski@ruidoso-nm.gov) and 575-257-3473

**Village of Ruidoso;** Eric Queller, Emergency Manager, [EricQueller@ruidoso-nm.gov](mailto:EricQueller@ruidoso-nm.gov) and 575-937-8963

**Lincoln County;** Brian Samson, Emergency Management Director, [BSamson@lincolncountynm.gov](mailto:BSamson@lincolncountynm.gov) and 575-336-8603

**City of Ruidoso Downs;** Jennet Recendez, Planning Services Director, [JRecendez@ruidosodowns.us](mailto:JRecendez@ruidosodowns.us) and 575-378-1342

**Town of Carrizozo;** Lisa Maue, City Hall, [zozocityhall@tularosa.net](mailto:zozocityhall@tularosa.net) and 575-648-2372

**Village of Capitan;** Kevin Kennedy, Fire Chief, [KKennedy@villageofcapitan.org](mailto:KKennedy@villageofcapitan.org) and 575-937-0222

**Village of Corona;** Terri Racher, Village Clerk, [villageofcorona@plateautel.net](mailto:villageofcorona@plateautel.net) and 575-849-5511

**SWCA;** Wendy Blackwell, Project Manager, [Wendy.Blackwell@swca.com](mailto:Wendy.Blackwell@swca.com) and 505-469-8683



# MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE



Lincoln County, Village of Ruidoso,  
City of Ruidoso Downs, Town of Carrizozo,  
Village of Capitan, and Village of Corona

January 2024

PREPARED BY

SWCA Environmental Consultants



## **EXECUTIVE SUMMARY**

Throughout the United States, natural and human-caused disasters have led to increasing levels of death, injury, property damage, and interruption of business and government services. Families and individuals can be immensely affected and businesses that are damaged cannot contribute to the economy. The money, time, and effort to respond to and recover from these emergencies or disasters divert public resources and attention from other important programs and problems. The five jurisdictions contained within Lincoln County, New Mexico, participating in this planning effort recognize the consequences of disasters and the need to reduce the impacts of natural and human-caused hazards. The County and participating jurisdictions also know that with careful selection, mitigation actions in the form of projects and programs can become long-term, cost-effective means for reducing the impact of natural and human-caused hazards.

The planning process for the Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update assists each participating jurisdiction to identify the natural hazards that impact the community, analyzes the risks, and prioritizes actions that can be taken to reduce that risk. Having the approved Hazard Mitigation Plan provides each participating jurisdiction with a federal government-approved and locally adopted plan which will support grant applications to implement natural hazard risk reduction projects. The approved plan is a requirement for Federal Emergency Management Agency (FEMA) hazard mitigation grant funding and may meet the plan requirements for other federal grants, such as the U.S. Forest Service Community Wildfire Defense Grant.

The elected and appointed officials of Lincoln County (herein called the County) demonstrated their commitment to hazard mitigation in 2012 by preparing the first Lincoln County All Hazard Mitigation Plan (2012 HMP). At that time, only the County adopted the HMP. In order to remain compliant with federal regulations, the HMP must be updated and approved by FEMA every five years.

The County, the Village of Ruidoso, City of Ruidoso Downs, Town of Carrizozo, Village of Capitan, and Village of Corona prepared and received FEMA approval of the 5-year update for the Lincoln County Multi-Jurisdictional Hazard Mitigation Plan in 2018 (2018 HMP). As the FEMA guidance had changed, each participating jurisdiction's hazards needed to be analyzed independently, actions needed to be community-specific, and adoption had to occur for each entity.

The HMP has been prepared in compliance with Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act or the Act), 42 United States Code 5165, enacted under Section 104 the Disaster Mitigation Act of 2000 (DMA 2000), Public Law 106-390 of October 30, 2000, as implemented at Title 44 Code of Federal Regulations (CFR) 201.6 and 201.7 dated October, 2007. The HMP includes risk assessments for multiple natural hazards, a public outreach effort, and development of a mitigation strategy that incorporates measures intended to reduce the impacts of natural hazard events.

The 2023 update of the various HMP elements was accomplished through the multi-jurisdictional Planning Team which included representatives from each of the participating jurisdictions and other agencies that expressed interest. Subject Matter Experts, stakeholders, and the general public were also involved with and contributed to the 2023 HMP update. The Planning Team met monthly from February through May, 2023, were consulted on final edits through the fall of 2023, and ensured the adoption resolutions were approved. The 2023 HMP update will continue to guide the County and participating jurisdictions toward greater disaster resilience.

For the 2023 HMP update, funding was provided through a FEMA Building Resilient Infrastructure and Communities (BRIC) planning sub-grant obtained by the Village of Ruidoso through the New Mexico Department of Homeland Security and Emergency Management (DHSEM). SWCA Environmental Consultants was hired by the Village of Ruidoso to facilitate the planning process and update the HMP. The Village of Ruidoso served as the lead agency and primary point of contact for the planning effort.

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## SECTION 1: JURISDICTIONAL ADOPTION AND FEMA APPROVAL

### 1.1 Hazard Mitigation Plan Update Requirements

The Federal Emergency Management Agency (FEMA) released an update to the Local Mitigation Planning Policy Guide on April 19, 2022. The guidance became effective April 19, 2023. This 2023 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan (HMP) meets the requirements as described in the 2022 FEMA Guide.

Title 44 Code of Federal Regulations (CFR) §201.6 requires that existing plans be updated every five years, with each plan cycle requiring a complete review, revision, and re-approval of the plan at both the state and FEMA level. The 2018 Lincoln County Multi-Jurisdictional Hazard Mitigation Plan (2018 HMP) includes Lincoln County (the County), Village of Ruidoso, City of Ruidoso Downs, Town of Carrizozo, Village of Capitan, and Village of Corona. The 2018 HMP expired on July 24, 2023. The 2023 HMP is the result of an update process performed by the six participating jurisdictions.

### 1.2 Official Record of Adoption

Promulgation of the HMP is accomplished through formal adoption of official resolutions by the governing body for each participating jurisdiction in accordance with the authority and powers granted to those jurisdictions by the State of New Mexico. Adoption Resolutions for each of the participating communities are found in Appendix J.

### 1.3 FEMA Approval Letter

The HMP was submitted to the New Mexico Department of Homeland Security and Emergency Management (DHSEM), the authorized state agency, and FEMA, for review and approval. FEMA's approval letter is provided on the following page. The Approved Plan Review Tool is found in Appendix K.

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## **SECTION 2: INTRODUCTION**

### **2.1 HMP Authority**

This 2023 update of the Lincoln County Multi-Jurisdictional HMP has been prepared in compliance with Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act), 42 United States Code 5165, as amended by Section 104 of the Disaster Mitigation Act of 2000 (DMA 2000) Public Law 106-390 enacted October 30, 2000. The regulations governing the mitigation planning requirements for local mitigation plans are published under CFR Title 44, Section 201.6 (44 CFR §201.6).

44 CFR §201.6 explains the requirements for local governments to undertake a risk-based approach to reducing risks to impacts of natural hazards through mitigation planning. The local mitigation plan is the representation of the participating jurisdiction's commitment to reduce risks from natural hazards, serving as a guide for decision makers as they commit resources to reducing the impacts of natural hazards. Under 44 CFR §201.6 and §201.7, local and tribal governments must have a FEMA-approved local natural HMP in order to apply for and/or receive funding from the following Hazard Mitigation Assistance (HMA) programs. Mitigation actions are required to be identified in the HMP to meet the planning requirement for eligibility.

- Hazard Mitigation Grant Program (HMGP)
- Hazard Mitigation Grant Program – Post Fire (HMGP- Post Fire)
- Building Resilient Infrastructure and Communities (BRIC)
- Flood Mitigation Assistance
- Pre-Disaster Mitigation (PDM)

### **2.2 Hazard Mitigation Plan Purpose**

The planning process for the Lincoln County Multi-Jurisdictional Hazard Mitigation Plan Update assists each participating jurisdiction in identifying the natural hazards that impact the community, analyzes the risks, and prioritizes actions that can be taken to reduce that risk. Having the approved HMP provides each participating jurisdiction with a federal government–approved and locally adopted plan which will support grant applications to implement natural hazard risk reduction projects. The approved plan is a requirement for FEMA hazard mitigation grant funding and may meet the plan requirements for other federal grants, such as the U.S. Forest Service Community Wildfire Defense Grant.

### **2.3 Funding for the Hazard Mitigation Plan**

Funding for the development of the HMP was provided through a FEMA BRIC planning sub-grant obtained by the Village of Ruidoso through the New Mexico DHSEM. FEMA serves as the grantor, New Mexico DHSEM serves as the grantee, and the Village of Ruidoso serves as the sub-grantee. Each participating jurisdiction contributed matching funds for the sub-grant. SWCA Environmental Consultants was hired by the Village of Ruidoso to facilitate the planning process and update the HMP.

## 2.4 General Hazard Mitigation Plan Description

The HMP is generally arranged and formatted to be consistent with the 2018 HMP and is composed of the following sections:

**Planning Process (Section 3)** – This section summarizes the planning process used to update the HMP, describes Planning Team participation, explains the content of the Planning Team meetings, and summarizes outreach to both stakeholders and the public.

**Community Description (Section 4)** – This section provides a general description of the participating jurisdictions and Lincoln County as a whole.

**Hazard Identification and Risk Assessment (Section 5)** – This section summarizes the identification and description of natural hazards that impact each of the participating jurisdictions. For each community, hazard maps and narrative explain the previous occurrence, location, extent (magnitude/severity), probability, and potential climate change effects. This section also includes the vulnerability assessment for each community for each hazard with consideration for critical infrastructure vulnerability, damage to the built environment, changes in development, and social vulnerability. The section ends with the Priority Risk Index (PRI) ratings for each community for each hazard, serving as a way to compare relative importance of perceived risk.

**Mitigation Strategy (Section 6)** – This section presents a capability assessment for each participating jurisdiction. It also summarizes mitigation goals, objectives, and community-specific actions. The description for each action includes the hazard(s) being mitigated, cost effectiveness, duration, responsible entity, potential funding sources, and a status for all actions identified in the 2018 HMP.

**Plan Maintenance Procedures (Section 7)** – This section outlines the procedures that will be implemented for evaluating and monitoring the HMP, updating the HMP in the next five years, incorporating plan elements into existing planning mechanisms, and continued public involvement.

## SECTION 3: PLANNING PROCESS

**§201.6(b):** [The plan must include the following:] Planning process. An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:

- (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
- (2) An opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process; and
- (3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.

**§201.6(c)(1):** [The plan must include the following:] Documentation of the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

This section includes the delineation of various 44 CFR 201.6 regulatory requirements, as well as the identification of key stakeholders and Planning Team Members within Lincoln County. In addition, the necessary public involvement meetings and actions that were applied during this process are also detailed.

### 3.1 Update Process Description

Village of Ruidoso applied for and received a FEMA BRIC sub-grant through the New Mexico DHSEM to fund a multi-jurisdictional update to the 2018 HMP. Letters from the participating jurisdictions were received to be included in the BRIC grant application. Once the sub-grant was received, the Village of Ruidoso went through a formal procurement process to hire a contractor to facilitate the update process. SWCA Environmental Consultants was hired to work with the participating jurisdictions and guide the HMP update process.

Analysis of the 2018 planning process and changes implemented for the 2023 process are described below. Details regarding updated contact information, Planning Team activities, stakeholder involvement, and public involvement are discussed in the following sections.

### 3.2 Previous Planning Process Assessment

The first task of preparation for the 2023 Plan was to evaluate the process used to develop the 2018 HMP. This was initially discussed in the February 28, 2023, Planning Team Meeting #1 with the goal of establishing the framework for the planning effort ahead. The 2018 planning process included a Mitigation Planning Team to represent respective communities. Local Planning Teams were composed of jurisdiction-specific staff and subject matter experts (SMEs). Six Mitigation Planning Team planning meetings and five Local Planning Team meetings were held over the course of a 9-month period. The Mitigation Planning Teams were responsible for attending meetings, conveying information and assignments from meetings, providing insight on the planning context, and reviewing the HMP. Each Local Planning Team was involved in research and making planning decisions and reviewed the draft HMP before public comment. The Mitigation Planning Team representative for the Village of Corona was unable to attend in-person meetings due to short staffing, but email, phone, and Local Planning Team participation was deemed sufficient. The consulting team posted drafts of the HMP on the Village of Ruidoso's website to allow stakeholder and public comment, with public notices posted on jurisdictional websites. No comments were received.

The 2018 HMP noted the lack of mitigation planning experience in the County's first HMP which was approved in 2012. The 2018 HMP had a much higher level of engagement and input from knowledgeable local sources as evidenced by the local specific Planning Teams. This approach resulted in a multi-jurisdictional planning approach that provided representation for all involved communities where concepts were presented and discussed, and each participating jurisdiction was assigned tasks to ensure all relevant information was included.

### **3.3 Planning Team**

#### **3.3.1 General**

For the 2023 HMP, one multi-jurisdictional Planning Team was convened. Each participating jurisdiction assigned one liaison who served as the primary point of contact for their jurisdiction and was responsible for ensuring all assignments and intracommunity communication was passed along and completed on time. It was the responsibility of the primary point of contact to participate in the Planning Team meetings and to delegate data requests and other task assignments. Communication was maintained via email, phone calls, and meetings with the primary community contact. The primary contact was responsible for the following:

- Coordinate input and feedback from the community
- Delegate and ensure completion of assigned tasks or data requests
- Coordinate elected official meetings

The role of the Planning Team was to perform the coordination, research, and planning element activities required to update the 2018 HMP. Planning Team meetings were held monthly from February to May 2023. At the beginning of the planning process, each liaison was provided with a copy of the 2018 HMP in addition to the copy posted on the Village of Ruidoso's website.

The Planning Team meetings were designed and scheduled to guide the Planning Team through the update process by establishing baseline understandings of the process and build on previous meetings. Each meeting focused on a specific section of the HMP, beginning with an overview and assessment of the previous planning process. In addition to this cumulative meeting process where jurisdictional representatives participated in each progressive step, monthly assignments were delegated based on the planning stage. Assignments ensured that the most up-to-date information was used in the planning process and that all efforts were made to fill recognized data deficiencies. Subject matter experts and stakeholders were also consulted to provide input on specific topics.

Dates of the Planning Team meetings and specific topics covered are shown in Figure 3-2.

#### **3.3.2 Planning Team Assembly**

At the beginning of the 2023 HMP update planning process, the Village of Ruidoso updated the 2018 Planning Team contact list to reflect the current contacts that held the appropriate position within each participating jurisdiction. Representatives were the emergency managers or primary point of contact from the 2018 HMP or other community staff with an aim of one to three representatives per jurisdiction. In February 2023, an introductory email was sent to the identified Planning Team Members announcing the start of the planning effort. Throughout the first several weeks of the planning process, the Planning Team list was modified by each participating jurisdiction to ensure that the appropriate contacts were included. The Planning Team representatives are summarized in Figure 3-1. Returning Planning Team Members from the 2018 HMP are identified with an asterisk (\*).

Figure 3-1: Mitigation Planning Team

Name		Agency/Organization	Title
Kevin	Kennedy	Village of Capitan	Fire Chief/Emergency Management
Ron	Lowrance	Village of Capitan	Mayor
Ray	Dean	Town of Carrizozo	Mayor
Lisa	Maue	Town of Carrizozo	Administrative Assistant
Leann	Weibrecht	Town of Carrizozo	Town Clerk
Brad	Gage	Village of Corona	Fire Chief
Terri	Racher*	Village of Corona	Village Clerk
Samuel	Seely	Village of Corona	Mayor
Arron	Griewahn	Lincoln County	Office of Emergency Services Director
Francesca	Herrera	Lincoln County	Public Works Director/Floodplain Manager
Jeffrey	Honeycutt	Lincoln County	Road Superintendent
Joe (JP)	Kenmore*	Lincoln County	Emergency Management Director (retired)
Ira	Pearson*	Lincoln County	County Manager (retired)
Brian	Samson	Lincoln County	Emergency Manager
Makayla	Zonfrilli	Lincoln County	County Manager
Roy	Burkham	City of Ruidoso Downs	Fire Chief/Emergency Manager
Joe	Commander	City of Ruidoso Downs	Police Chief
Dean	Holman	City of Ruidoso Downs	Mayor
Robert	Knight	City of Ruidoso Downs	Deputy Police Chief
Jenette	Recendez	City of Ruidoso Downs	Planning Services Director
Christella	Armijo	Village of Ruidoso	Water Resources Director
Lawrence	Chavez	Village of Ruidoso	Police Chief
Ross	Coleman	Village of Ruidoso	Assistant Fire Chief/Fire Marshal
Dick	Cooke	Village of Ruidoso	Village Forestry Director
Joe	Kasuboski*	Village of Ruidoso	Fire Chief
Steven	Minner	Village of Ruidoso	Deputy Police Chief
Eric	Queller	Village of Ruidoso	Emergency Manager
Adam	Sanchez	Village of Ruidoso	Public Utilities Director
Ron	Sena*	Village of Ruidoso	Village Manager
Samantha	Serna*	Village of Ruidoso	Community Development Director

Name		Agency/Organization	Title
J.W.	McCoy	U.S. Forest Service, Lincoln National Forest	Fire Management Officer
Jennifer	Thomas	U.S. Forest Service, Lincoln National Forest	District Ranger

### 3.3.3 Planning Team Activities

Figure 3-2 summarizes the Planning Team meetings convened, along with a brief list of the agenda items discussed. The detailed agendas, presentations, and meeting notes for the Planning Team meetings are provided in Appendix F.

**Figure 3-2: Summary of Planning Team Meetings**

Meeting Type, Date, and Location	Topics
Planning Team Meeting # 1 February 28, 2023 Village of Ruidoso Village Hall Ruidoso, NM	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Plan update process and overview <ul style="list-style-type: none"> <li>◦ General process overview and timeline</li> <li>◦ FEMA guidance changes</li> </ul> </li> <li>• Roles and responsibilities <ul style="list-style-type: none"> <li>◦ Planning Team Members</li> <li>◦ Stakeholders</li> <li>◦ Subject matter experts</li> <li>◦ Members of the public</li> </ul> </li> <li>• Planning process updates <ul style="list-style-type: none"> <li>◦ Overview of 2018 process</li> <li>◦ Recommended changes for 2023 update</li> <li>◦ Confirmation on direction from Planning Team</li> </ul> </li> <li>• Hazard identification and risk assessment <ul style="list-style-type: none"> <li>◦ Overview of 2018 hazards and recommendations</li> <li>◦ Overview of research to be conducted for 2023</li> </ul> </li> <li>• Next steps</li> </ul>
Planning Team Meeting # 2 March 22, 2023 Via Zoom	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Planning process for 2023 Update <ul style="list-style-type: none"> <li>◦ Confirmation on planning process</li> <li>◦ Community involvement</li> </ul> </li> <li>• Hazard identification and risk assessment <ul style="list-style-type: none"> <li>◦ Finalize hazard screening process</li> <li>◦ Hazard profile example</li> <li>◦ Changes in land development</li> <li>◦ Critical infrastructure and asset mapping</li> <li>◦ PRI overview</li> <li>◦ Loss and exposure estimates</li> <li>◦ Recommended changes</li> <li>◦ Confirmation on direction from Planning Team</li> </ul> </li> <li>• Next steps</li> </ul>

Meeting Type, Date, and Location	Topics
Planning Team Meeting # 3 April 19, 2023 Via Zoom	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Planning process <ul style="list-style-type: none"> <li>○ Format review and comments/feedback</li> </ul> </li> <li>• Hazard identification and risk assessment <ul style="list-style-type: none"> <li>○ Format review and comments/feedback</li> <li>○ Hazard profile and vulnerability example</li> <li>○ Updated PRI review</li> </ul> </li> <li>○ Mitigation strategy <ul style="list-style-type: none"> <li>○ Overview of 2018 strategy</li> <li>○ Recommended changes for 2023 update</li> <li>○ Technical assistance meetings to be held week of May 1 for each community</li> </ul> </li> <li>• Next steps</li> </ul>
Planning Team Meeting # 4 May 25, 2023 Via Zoom	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• PRI results</li> <li>• Review of Sections 1–5 and capabilities</li> <li>• Mitigation strategy <ul style="list-style-type: none"> <li>○ Finalize goals and objectives</li> <li>○ Review 2018 HMP action status</li> <li>○ Finalize approach for 2023</li> <li>○ Finalize prioritization process</li> </ul> </li> <li>• Plan maintenance <ul style="list-style-type: none"> <li>○ Review status of 2018 through 2023 commitments</li> <li>○ Plan maintenance for 2024 through 2028</li> </ul> </li> <li>• Formatting <ul style="list-style-type: none"> <li>○ Next steps</li> </ul> </li> </ul>

In addition to the Planning Team meetings, the consultant provided a Mitigation Strategy Technical Assistance session for each participating jurisdiction. Five of the sessions were conducted the week of May 1, and the sixth was the week of May 15. Topics below were addressed in the session. The following participants were encouraged to participate: primary contact from Planning Team; Emergency Manager; wildfire, flood, climate, dam, or other hazard subject matter expert; public utility, public works, or other infrastructure subject matter expert; community planner; and elected/appointed officials.

- Review goals and objectives in context of individual participating jurisdiction perspective
- Review each participating jurisdiction’s 2018 HMP actions and describe example of how status must be documented
- Discuss example of how updates need to be described for actions that will be included in the 2023 HMP Update
- Discuss example of how actions are to be added so new guidance is met
- Brainstorm action ideas
- Explain the prioritization process options

### 3.3.4 Subject Matter Experts

Subject matter experts (SMEs) were identified by the Planning Team to provide input and feedback on specific topics. SMEs provided edits and feedback on specific topics or hazards and provided reference materials or website links. Some SMEs assisted with the integration of other planning mechanisms into this HMP Update and will assist with integrating relevant portions of this HMP into other planning mechanisms over the coming 5-year approval cycle. In addition, some SMEs provided support, logistics coordination, and other resources to accomplish the HMP Update. Figure 3-3 identifies the SMEs, their agency or organization affiliation, and subject area of expertise.

**Figure 3-3: Subject Matter Expert List**

Name		Agency/Organization	Title	SME Topic
Angela	Autrey	Village of Capitan	Deputy Clerk	Board of Trustees meeting logistics
Lisa	Maue	Carrizozo Works, Inc.	Director	Economic development and quality of life
Walter	Hill	Lincoln County	Assessor's Office Cartographer	Assessor data and assistance
Amanda	Vega-Trujillo	Lincoln County	Assessor's Office Cartographer	Assessor data
Brianna	Ventura	Lincoln County	HR Director, County Admin Assistant	Public Information, County Commission agenda
LeeRoy	Zamora, Jr.	Lincoln County	Chief Deputy Assessor	Assessor data and assistance
Ally	Giron	City of Ruidoso Downs	City Clerk, Treasurer, Admin Assistant	City Council meeting logistics
		City of Ruidoso Downs	Planning and Zoning Services Director	Permits, floodplain management
Ashlie	Carabajal	Village of Ruidoso	Water Resource Manager	Water asset geographic information system (GIS) and risk assessment
Kerry	Gladden	Village of Ruidoso	Public Information Officer (on contract)	Ruidoso Public Information Officer on contract
Randy	Koehn	Village of Ruidoso	Water Production Manager	Alto and Grindstone Dams
Austin	Nelson	Village of Ruidoso	Airport Manager	Airport
Frank	Potter	Village of Ruidoso	Judge	the human "Farmer's Almanac"
Bill	Powers	Village of Ruidoso	Building Official, Floodplain Manager	Permitting, floodplain
Stephanie	Warren	Village of Ruidoso	GIS Coordinator/Planner	GIS parcel data and addressing

Name		Agency/Organization	Title	SME Topic
Michael	Anand	National Weather Service	Meteorologist	Weather data

### 3.3.5 Stakeholders Participation

According to the Planning Team, a “stakeholder” refers to a group or organization that may have an interest in the HMP Update but is not a representative of one of the six participating jurisdictions or an individual member of the public. Some stakeholders were specifically targeted for inclusion based on their role in the community, proximity to assessed communities, or understanding of the specific planning context. Outreach to these stakeholders was conducted via email and phone correspondence and was in line with FEMA’s requirement to provide opportunity for neighboring communities, agencies, businesses, and non-profits to provide input on the HMP Update.

Similar to the development of a stakeholder list that occurred during the 2018 HMP, throughout the initial weeks of the planning process, the Planning Team modified the listing, updated contact information and added any new stakeholders. Figure 3-4 represents stakeholders that were emailed and encouraged to participate in the 2023 update. Stakeholders were sent the introductory press release and were invited to participate in the community meeting. Some stakeholders were called to discuss outreach specific to their interest area, such as climate change, and to solicit input on extending outreach to vulnerable populations.

Telephone interviews were conducted with representatives from the South Central Mountain Resource Conservation and Development Council, Community Foundation of Lincoln County, Upper Hondo Soil and Water Conservation District (Salado Dam owner), City of Alamogordo (Bonito Dam owner), Mescalero Apache Tribe (Mescalero Lake Dam owner contact for Bureau of Indian Affairs), New Mexico Workforce Solutions, Eastern New Mexico University, neighboring community emergency management contacts, U.S. Army Corps of Engineers (USACE), Bureau of Land Management (BLM), and the insurance industry.

For this 2023 update, particular outreach was conducted to reach socially vulnerable populations and underserved communities. For example, the Planning Team worked with the Workforce Development Director at New Mexico Workforce Solutions and the President of the Community Foundation of Lincoln County to disseminate flyers and community meeting information to each organization’s email contact list. Additionally, the Village of Ruidoso Community Development Director recommended leaving hard copy printouts of the community meeting announcement flyer at the Village Community Center, Youth Shelter, and the County Senior Centers, all of which serve socially vulnerable communities. The Village of Ruidoso Fire Department printed and arranged for distribution of the announcements to these locations.

**Figure 3-4: Stakeholder List**

Name		Agency/Organization	Title	Category
J. Vance	Lee	Capitan School District	Superintendent	Academia
Cody	Patterson	Carrizozo School District	Superintendent	Academia
Travis	Lightfoot	Corona School District	Superintendent	Academia
Robin	DeMott	Eastern New Mexico University	Chief External Affairs Officer	Academia

Name		Agency/Organization	Title	Category
Ryan	Trosper	Eastern New Mexico University	President	Academia
Marvin	Martin	Hondo School District	Superintendent	Academia
George	Bickert	Ruidoso Municipal Schools	Superintendent	Academia
		New Mexico Construction Industries Division	Las Cruces Office	Agencies that regulate development
Justin	Riggs	U.S. Army Corps of Engineers	NM/TX Branch, Regulatory Office	Agencies that regulate development
Warren	Kasper	U.S. Bureau of Land Management, Fort Stanton-Snowy River Cave	National Conservation Area Manager	Federal partners
Diedre	Tarr	Claunch Pinto Soil and Water Conservation District	District Manager	Local and regional agencies
Nick	Smokovich	New Mexico State Forestry Division	District Forester	Local and regional agencies
Luis	De La Cruz	New Mexico Workforce Solutions	Workforce Development Director	Local and regional agencies
Dora	Batista	Southern New Mexico Economic Development District	Executive Director	Local and regional agencies
Wanda	Schmidt	Upper Hondo Soil and Water Conservation District	Conservation Assistant	Local and regional agencies
Richard	Adler	City of Alamogordo	Fire Chief and Emergency Manager	Neighboring communities
Brian	Caesar	City of Alamogordo	City Manager	Neighboring communities
David	Nunnelley	City of Alamogordo	Utilities Department Director	Neighboring communities
Karen	Sanders	Chaves County	Emergency Manager	Neighboring communities
Bill	Williams	Chaves County	County Manager	Neighboring communities
Linda	Boyd	De Baca County	Director/Emergency Manager	Neighboring communities
Ben	Rael	Guadalupe County	Emergency Manager	Neighboring communities
Diana	Urban	Guadalupe County	County Manager	Neighboring communities

Name		Agency/Organization	Title	Category
Loren	Gallerito	Mescalero Apache Tribe	Emergency Manager	Neighboring communities
Clyde	Jenkins	Mescalero Apache Tribe	Fire Chief	Neighboring communities
Thomas	LaPaz	Mescalero Apache Tribe	Emergency Management Assistant	Neighboring communities
Matt	Clark	Otero County	Emergency Services	Neighboring communities
Pamela	Heltner	Otero County	County Manager	Neighboring communities
Amber	Vaughn	Sierra County	County Manager	Neighboring communities
Ryan	Williams	Sierra County	Emergency Services Administrator	Neighboring communities
Michael	Hawkes	Socorro County	County Manager	Neighboring communities
Gail	Tripp	Socorro County	Emergency Manager	Neighboring communities
Janice	Barela	Torrance County	County Manager	Neighboring communities
Samantha	O'Dell	Torrance County	Emergency Manager	Neighboring communities
Cynthia	Davis	Community Foundation of Lincoln County	Shelter Fund Advisor	Other private/non-profit interests
Riker	Davis	Community Foundation of Lincoln County	President	Other private/non-profit interests
Robert	Barber	Lincoln County Community Emergency Response Team	Program Manager	Other private/non-profit interests
Laura	Doth	South Central Mountain Resource Conservation and Development Council	Executive Director	Other private/non-profit interests
Ashley	Dalton	Farmers Insurance	Insurance Agent	Business
Sandralynn	Nunnally	Lincoln County Medical Center	Emergency Medical Services Director	Business
Todd	Oberheu	Lincoln County Medical Center	Chief Executive Officer	Business

**Figure 3-5: Joe Kenmore, Lincoln County Emergency Management Director, showing Lincoln County is Storm Ready, certified by National Weather Service**



An integral part of the planning process included coordination with agencies and organizations outside of the participating jurisdiction's governance to obtain information and data for inclusion into the HMP or to provide more public exposure for the planning process. Some of the information and data used in the risk assessment are developed by agencies or organizations other than the participating jurisdictions. In some cases, the jurisdictions may be members of a larger organization that has jointly conducted a study or planning effort, like the development of the 2019 Community Wildfire Protection Plan (CWPP) prepared by the South-Central Mountain Resource Conservation and Development Council. Examples of data sets include FEMA floodplain mapping, severe weather statistics, hazard incident reports, and regional comprehensive plans. The resources obtained, reviewed, and compiled into the risk assessment are summarized in Section 3.6 Integration of Other Planning Mechanisms, and at the end of each subsection of Section 5.4, Vulnerability Analysis. Data sets were obtained by requesting them directly from the host agency or organization, downloading information posted to website locations, and researching geographic information system (GIS) platforms.

### **3.4 Public Involvement**

#### **3.4.1 Previous Plan Assessment**

The public involvement strategy for the 2018 HMP used mainly web-based engagement, including posting public notices on all participating jurisdictions websites. These websites notified residents of the ongoing planning process, directed them to the 2018 HMP for review, and included instructions to provide feedback. Notices were posted at the onset of the planning process and when a draft plan was ready for public comment. The Village of Ruidoso's website hosted both a summary mitigation plan section and the

2018 HMP. Social media was also used to reach a broader audience and solicit feedback. No public comments were received during either the initial outreach or following the release of the draft plan.

### **3.4.2 Plan Update**

For the 2023 HMP, the Planning Team defines the “public” as the communities of Lincoln County, residents, local homeowners, second homeowners, renters, businesses, and organizations outside of government.

Based on direction from the Planning Team, presentation was made to each participating jurisdiction’s elected and appointed officials providing an overview of hazard mitigation and a review of the 2023 planning process. These presentations were posted as formal public hearings. The public was given an opportunity to comment, and no comments were provided. The presentation slides are provided in Appendix G. Presentations were made on the following dates:

- Ruidoso Village Council – March 14, 2023
- Capitan Board of Trustees – March 14, 2023
- Corona Village Council – March 17, 2023
- Ruidoso Downs City Council – March 27, 2023
- Carrizozo Board of Trustees – April 11, 2023
- Lincoln County Commission – April 18, 2023

An introductory press release was distributed by the Village of Ruidoso and the Town of Carrizozo. The press release provided information on the purpose and timeline for the HMP Update, identified the key personnel, and encouraged the public to be engaged with the planning process.

The public comment period was from June 26 to July 9, 2023. On June 26, 2023, the draft 2023 HMP was uploaded to the Village of Ruidoso website. In addition, a webinar and feedback survey were also posted. The webinar provided an overview of the HMP, introduced the key components, and encouraged feedback through a survey. An in-person community meeting was hosted on June 27, 2023, at the Ruidoso Convention Center. All Planning Team Members, public officials, stakeholders, and community members were encouraged to attend the meeting, which provided time for questions regarding the planning process and an opportunity for public comment on the draft. There were 38 attendees at the meeting with representation from at least five of the six communities. Of the 11 residents that participated, some did not identify the specific community where they live. In addition to community members, elected officials, community leaders, and staff participated. Announcement of the community meeting was accomplished through a hard-copy community flyer and social media postings. The flyer was included in: the Village of Ruidoso’s June newsletter that gets mailed to all utility customers and posted online; the Village of Capitan’s monthly utility billing mailing; and the Town of Carrizozo’s online newsletter that is posted by Carrizozo Works twice a week. At the beginning of the meeting an overview of the HMP was provided to introduce the key components of the update and encourage feedback from community members through a survey.

Feedback received by July 9, 2023, was incorporated into the HMP final draft after consultation with the Planning Team. In addition to comments received at the community meeting, nine feedback surveys were returned. The Planning Team vetted each comment and determined the follow-up actions needed. It is important to note that none of the comments related to required plan elements for federal regulation compliance. Prioritization for follow-up considered the need to have FEMA approval no later than December 2023 in order to meet the January 2024 deadline for new funding opportunities. In general,

the feedback related to improvements for research and mapping. Edits were made to the document as directed by the Planning Team. Section 7.2.2 includes a summary of topics for the Planning Team to consider for the next update.

Many topics included in the community comments related to emergency response or other non-mitigation emergency management focus areas. Those comments will be shared with the contacts for Emergency Action Plans, Communications Plans, the County-wide Community Wildfire Protection Plan, and the Local Emergency Response Team. There were several comments related to the County-wide community description (see Section 4.2); these comments will be shared with contacts of the County 2027 Comprehensive Plan update.

One comment recommended inclusion of neighboring landowners and land managers; as a result, BLM was contacted and included in the Stakeholder listing. Other neighboring landowners and managers had already been contacted and listed as stakeholders. A second opportunity for the community to comment on the HMP Update was provided at the adoption public hearing at each participating jurisdiction after FEMA provided the Approval Pending Adoption letter. Dates of the public hearings were:

- Ruidoso Village Council – to be added
- Capitan Board of Trustees – to be added
- Corona Village Council – to be added
- Ruidoso Downs City Council – to be added
- Carrizozo Board of Trustees – to be added
- Lincoln County Commission – to be added

### **3.5 Reference Documents and Technical Resources**

Over the course of the update planning process, numerous other plans, studies, reports, and technical information were obtained and reviewed for incorporation or reference purposes. The majority of sources referenced and researched pertain to the risk assessment and the capabilities assessment. To a lesser extent, the community descriptions and mitigation strategy also included some document or technical information research. Figure 3-6 provides a reference listing of the primary state, federal, and national documents and technical resources reviewed and used in the Plan. Local plans integrated into the HMP Update are listed in Figures 3-8-1 through 3-8-6.

**Figure 3-6: List of State, Federal, and National Resource Documents and References**

<b>Referenced Document or Technical Source</b>	<b>Resource Type</b>	<b>Description of Reference and Its Use</b>
State of New Mexico Hazard Mitigation Plan (2018)	Hazard Data, Mitigation Data	Some of the hazard data and mitigation information published in the State Plan are incorporated into the HMP Update.
New Mexico Forestry Division	Hazard Data	Source for wildfire data associated with State Land.
Living with Fire (2018)	A Guide for the New Mexico Homeowner by State Forestry, U.S. Bureau of Land Management, USFS	Concepts to mitigate fire risk have been incorporated into the HMP Update.

Referenced Document or Technical Source	Resource Type	Description of Reference and Its Use
FEMA	Technical and Planning Resource	Local Mitigation Planning and Policy Guide (2022), Local Mitigation Plan Handbook (2013), floodplain- and flooding-related National Flood Insurance Program (NFIP) data (mapping, repetitive loss, NFIP statistics), and historic hazard incidents. Used in the risk assessment and mitigation strategy.
U.S. Global Change Research Program	Technical and Data Resource	Source for the Fourth National Climate Assessment (USGCRP 2018) reports and documentation with discussions on climate change.
U.S. Census Bureau	Data Resource	Source for demographic information
National Climatic Data Center	Technical Resource	Online resource for weather-related data and historic hazard event data. Used in the risk assessment.
National Response Center	Technical Resource	Source for traffic-related hazardous materials incidents and rail accidents. Used in the risk assessment.
National Weather Service	Technical Resource	Source for hazard information, data sets, and historic event records.
U.S. Census Bureau	Technical Data	County census block data were used to obtain block boundaries, population, and housing units.
U.S. Forest Service	Technical Data	Source for local wildfire data.
U.S. Geological Survey	Technical Data	Source for geological hazard data and incident data.

Figure 3-7 depicts the 2018 HMP Planning Team simulating wildfire and flood hazard scenarios as part of this process.

**Figure 3-7: 2018 Planning Team using the Lincoln County Simulation Table**



### 3.6 Integration of Other Planning Mechanisms into the HMP Update

Integration and/or incorporation of existing planning mechanisms into the HMP Update serves as a force multiplier to present interrelated concepts, goals, and actions that will enhance the ability for each participating jurisdiction to maximize natural hazard risk reduction activities.

#### 3.6.1 2018 Plan Incorporation/Integration Examples

Below is a description of how the participating jurisdictions incorporated the 2018 HMP into updates and revisions of existing planning mechanisms (see Section 3.6.2). Bulleted descriptions go into more detail on four directly related planning documents for four participating jurisdictions.

- The County integrated the 2018 HMP into the CWPP. As this is a county-wide document, all incorporated jurisdictions benefited from the incorporation of the relevant information. The CWPP evaluates current conditions and identifies opportunities, strategies, and resources for wildfire mitigation. Additionally, the CWPP proposes important actions and recommendations to prevent wildfire risk. Concepts from the risk assessment, capabilities, and mitigation strategy of the 2018 HMP are integrated into the 2019 County CWPP.
- The Village of Ruidoso incorporated the 2018 HMP into its 2019 Comprehensive Plan. Section 13, Hazard Mitigation, describes the Village's current conditions; capacity to address hazards; existing plans, policies, and programs; accomplishments; planned improvements; and future goals and objectives. In the Comprehensive Plan, the Village commits to adopting additional hazard

mitigation rules and regulations, enforcing fuels management standards on private property, and collaborates with surrounding jurisdictions on hazard mitigation and response efforts. Concepts from the 2018 HMP were integrated into the capacity, existing conditions, and goals narrative of the Village's 2019 Comprehensive Plan.

- The City of Ruidoso Downs integrated the 2018 HMP into its 2021 Comprehensive Plan. The Comprehensive Plan identifies approaches and strategies adopted by the City to reduce both short-term and long-term risk from various hazards. It prioritizes improving the community's ability to prepare for, respond to, and recover from hazards, reducing the risk of wildfire, and minimizing the City's vulnerability to flooding and dam failure. Concepts from the risk assessment and mitigation strategy of the 2018 HMP are integrated into the City's 2021 Comprehensive Plan.
- The Town of Carrizozo integrated the 2018 HMP into its 2021 Comprehensive Plan. The Comprehensive Plan includes a discussion on hazard mitigation and the Town's mitigation efforts. There is a summary of existing plans and policies, recommendations to improve mitigation strategies, and the Town's planned goals, policies, and actions for the coming years. Concepts from the 2018 HMP were integrated into the capacity, goals, and actions narrative of the Town's 2021 Comprehensive Plan.

### 3.6.2 Other Planning Mechanisms Incorporated into the 2023 HMP Update

Numerous existing planning mechanisms were used for reference in the 2023 HMP Update. Figures 3-8-1 through 3-8-6 list those planning mechanisms for each jurisdiction and a brief description of the concepts integrated.

**Figure 3-8-1: Lincoln County—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.
Lincoln County Emergency Operations Plan (EOP)	The 2014 EOP identifies response and recovery actions in Lincoln County. Concepts from the following sections were consistent with the narrative in the HMP Update: Emergency Management and Mitigation, Vulnerable Critical Facilities, and Annex M on Special Needs Population.
Infrastructure Capital Improvement Plan (ICIP)	Current ICIP project listing covers 2024 through 2028 and was used for reference when the County prepared the actions listing for the 2023 HMP.
County Comprehensive Plan	The County Comprehensive Plan is from 2007. General industry and community profile information was used for reference.
Upper Hondo (Salado) Dam Emergency Action Plan (EAP)	The Upper Hondo Soil and Water Conservation District owns and operates the Upper Hondo Dam. Portions of the unincorporated county fall within the dam inundation area. Information from this 2018 EAP including potentially impacted areas has been added to the HMP Update in the dam failure and vulnerability sections.

Planning Mechanism	Description of Planning Mechanism Opportunity
Mescalero Lake EAP	The Mescalero Apache Tribe owns and operates the Mescalero Lake Dam. Portions of the unincorporated county fall within the dam inundation area. Information from this 2014 EAP including potentially impacted areas has been added to the HMP Update in the dam failure and vulnerability sections.

**Figure 3-8-2: Village of Ruidoso—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
Village of Ruidoso Emergency Operations Plan (EOP)	The 2018 EOP references the hazard profiles and risk assessments in the HMP. Concepts from the following sections were consistent with the narrative in the HMP Update: Emergency Management and Mitigation, Administration and Logistics, and in the recovery phase portion of the Annexes.
Infrastructure Capital Improvement Plan (ICIP)	Current ICIP project listing covers 2024 through 2028 and was used for reference when the Village prepared the actions listing for the 2023 HMP.
Village of Ruidoso Comprehensive Plan	Key hazard mitigation data and resources outlined in the 2019 Comprehensive Plan have been integrated into the HMP Update. In particular, see Section 13 titled ‘Hazard Mitigation’.
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.
Grindstone Canyon Dam Emergency Action Plan (EAP)	The Village owns and operates this dam. Information from this 2016 EAP including potentially impacted areas has been added to the HMP Update in the dam failure and vulnerability sections.
Alto Lake Dam EAP	The Village owns and operates this dam. Information from this 2017 EAP including potentially impacted areas has been added to the HMP Update in the dam failure and vulnerability sections.

**Figure 3-8-3: City of Ruidoso Downs—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
Infrastructure Capital Improvement Plan (ICIP)	Current ICIP project listing covers 2024 through 2028 and was used for reference when the City prepared the actions listing for the 2023 HMP.
City of Ruidoso Downs Comprehensive Plan	Key hazard mitigation data and resources outlined in the 2021 Comprehensive Plan have been integrated into the HMP Update. In particular, strategies were reviewed for incorporation into the actions section of the HMP Update.

Planning Mechanism	Description of Planning Mechanism Opportunity
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.

**Figure 3-8-4: Town of Carrizozo—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
Town of Carrizozo Comprehensive Plan	Key hazard mitigation data and resources outlined in the 2021 Comprehensive Plan have been integrated into the current version of the HMP. In particular goals, policies, and actions were included in the strategy section of the HMP Update.
Infrastructure Capital Improvement Plan (ICIP)	Current ICIP project listing covers 2024 through 2028 and was used for reference when the Town prepared the actions listing for the 2023 HMP Update.
Water Contingency Plan	The Water Contingency Plan outlines water management practices during drought and severe drought conditions within the town of Carrizozo. The Plan's emphasis on water conservation and well redundancy to address drought has been incorporated into the HMP Update, particularly in the actions section.
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.

**Figure 3-8-5: Village of Capitan—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
Village Comprehensive Plan	Key hazard mitigation data and resources outlined in the 2013 Comprehensive Plan are consistent with the HMP Update. Section 8 of the Comprehensive Plan is specific to hazard mitigation.
Drinking Water Bureau Emergency Response Plan (2015)	This emergency response plan is related to drinking water. Actions related to water quality were deemed not relevant to the HMP Update and not included.
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.

**Figure 3-8-6: Village of Corona—Planning Mechanisms Integrated into 2023 HMP Update**

Planning Mechanism	Description of Planning Mechanism Opportunity
Village Comprehensive Plan	Key hazard mitigation data and resources outlined in the 2013 Comprehensive Plan are consistent with the HMP Update. Section 7 of the Comprehensive Plan is specific to hazard mitigation.
County Community Wildfire Protection Plan (CWPP)	The 2019 CWPP describes at-risk communities within or near the wildland urban interface throughout the county. Concepts from the following sections were included in the HMP Update: hazard assessments, action recommendations, schedule for implementation, and evaluation approach.

## SECTION 4: COMMUNITY DESCRIPTIONS

### 4.1 General

The purpose of this section is to provide updated basic background information on Lincoln County as a whole and includes information on geography, climate, population, and economy. Abbreviated details and descriptions are also provided for each participating jurisdiction. Additional demographic information is presented in Section 5.4.4, Social Vulnerability.

### 4.2 County Overview

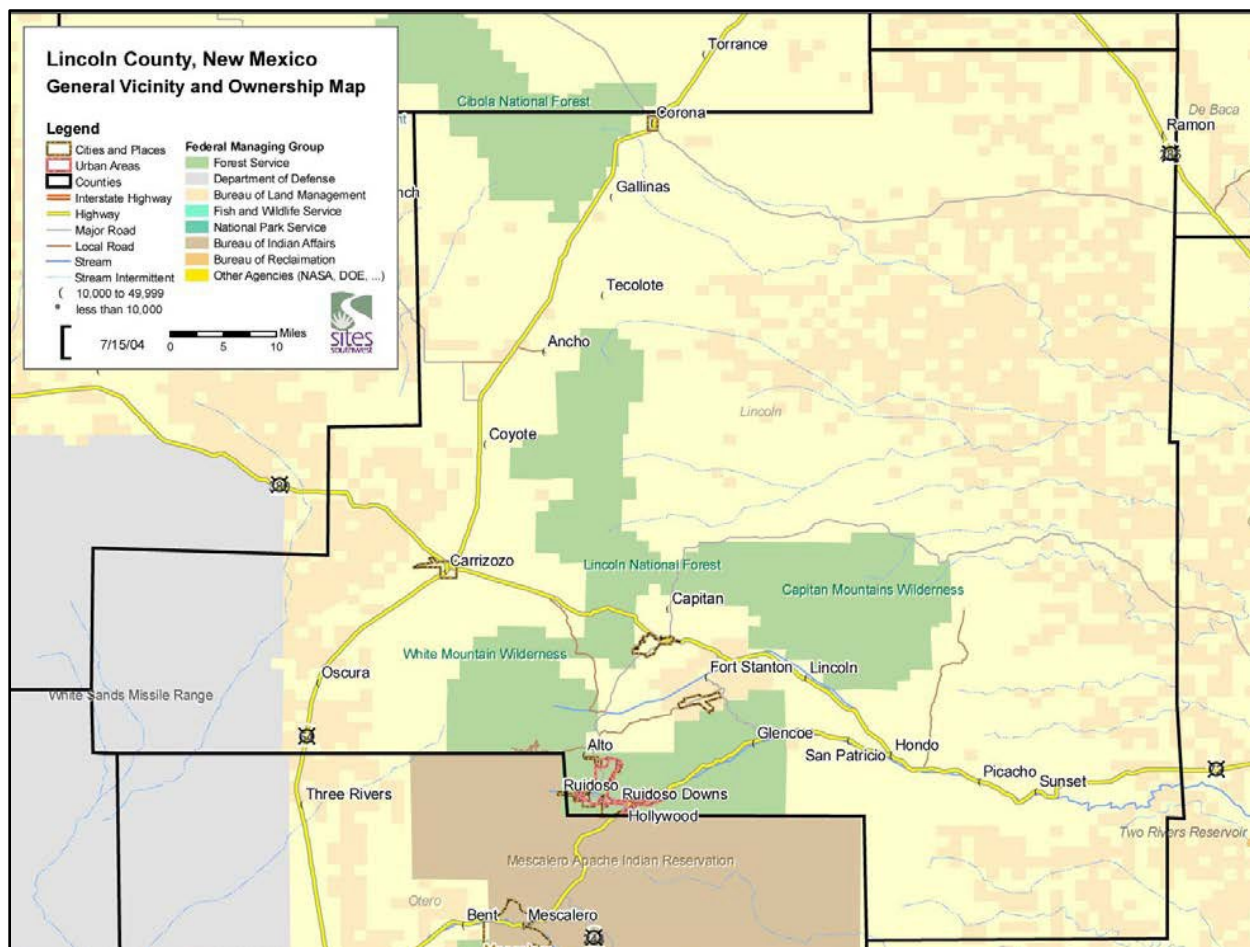
#### 4.2.1 Location and Geography

Lincoln County is located in south-central New Mexico and is bordered by Torrance and Guadalupe Counties to the north, De Baca County to the northeast, Chaves County to the east, Otero County to the south, Sierra County to the southwest, and Socorro County to the west (Figure 4-1). Named after Abraham Lincoln, the county was established in 1869. At that time, it made up nearly one fourth of the entire state and was the largest county in the United States. Today the county, including its incorporated jurisdictions, comprises 4,828 square miles. Unincorporated Lincoln County spans 4,798 square miles, which ranges from sprawling ranchlands to mountain settings. Important natural features in Lincoln County include the Lincoln National Forest, Sacramento Mountains, Capitan Mountains, Bonito Lake, and the Valley of Fires lava fields.

Lincoln County also has a rich history. It lays claim to some of the most well-known figures of the West, including Billy the Kid and Smokey Bear. The county is also dotted with ghost towns and artists' enclaves, as well as the resort town of Ruidoso.

There are three primary roadways that serve Lincoln County: U.S. Routes 380, 70, and 54. US380 bisects the county, running east-west. It connects Interstate 25 to Carrizozo, through Hondo, and eventually goes to Roswell and Texas. US70 runs southwest-northeast, connecting Las Cruces, Alamogordo, and Tularosa to Ruidoso before joining US380 in Hondo. US54 is a north-south roadway, which runs from El Paso, Texas, through Carrizozo, north to Corona, and continues northeast through several states. There are several small airports throughout the county, including the Carrizozo and Ruidoso Municipal Airports. From Carrizozo, the nearest metropolitan center is Las Cruces, which lies 124 miles to the southwest. Albuquerque is 152 miles to the northwest, and Santa Fe, the state capital, is about 162 miles to the north (Lincoln County 2007). The terrain in Lincoln County varies from relatively flat prairie lands and rolling foothills to high mountain peaks. It is a rugged region in the Basin and Range Province, with green hills and large plains surrounding and separating high mountain ranges. The plains are eroded, with canyons and the beds of dry streams; the tree-covered mountains include the Sierra Blanca, Sierra Oscura, Gallinas (with 8,615-foot Gallinas Peak), Jicarilla (with 9,650-foot Carrizo Mountain), and Capitan (with 10,083-foot Capitan Peak). Much of southwestern Lincoln County is covered by the Malpais, a region of lava beds that originated from Little Black Peak.

Figure 4-1: Map of Lincoln County, New Mexico



Source: Britannica (2023).

#### 4.2.2 Climate

Summertime high temperatures range in the 80s (degrees Fahrenheit [°F]) with lows in the 40s and 50s °F. Winter temperatures vary from highs in the upper 40s and low 50s °F to lows in the 20s °F. The assessment area has over 300 days of sunshine per year. Average annual precipitation is 22 inches around Ruidoso and 17 inches around Corona. The majority of precipitation is received during summer months. Annual average snowfall in Ruidoso is 26.2 inches, Capitan 27.3 inches, and Corona 27.9 inches (National Oceanic and Atmospheric Administration [NOAA] 2021).

#### 4.2.3 Population

According to the 2021 U.S. Census American Community Survey, there were 7,283 people comprising 3,212 households within unincorporated Lincoln County. The population density was 1.5 inhabitants per square mile. The racial makeup of unincorporated Lincoln County was 84.4% white alone, 0.3% black or African American alone, 4.8% American Indian and Alaska Native alone, 2.0% some other race alone, and 8.6% from two or more races. Hispanic or Latino of any race were 21.9% of the population. Additionally, the percentage of residents within the county 18 years of age or younger was 16.2% and the percentage of the population 65 years of age or older was 34.6% (U.S. Census Bureau 2021).

#### **4.2.4 Economy**

Important economic values are year-round recreational resort facilities, tourism, historical communities and buildings, the Ruidoso Downs Racetrack and Casino, sightseeing, nearby Mescalero Apache Reservation, and retirement communities. Ecological values include such resources as watersheds, wildlife and aquatic habitats, rangeland grazing, forest products, and viewsheds. Important infrastructure includes US54, US70, US285, and US380, county roads, water facilities, wastewater facilities, a railroad, communication towers, watersheds, a ski area, and historical communities.

Services, retail trade, and construction have historically provided the greatest number of jobs in Lincoln County. Currently, major employment sectors include the hospitality and recreation industry, the health care sector, construction, and local government.

The Mescalero Apache Tribe is the largest employer of Lincoln County residents, though it is actually located in Otero County, bordering Ruidoso to the south. The Tribe provides up to 1,500 jobs, depending on the season, for the operation of the Inn of the Mountain Gods hotel, golf course, and casino and the Ski Apache resort. The nearby Ruidoso Downs Racetrack and the Billy the Kid Casino together provide an additional 600 to 1,250 jobs.

The local government and related services are another important employment resource. Ruidoso Municipal Schools has 452 employees, while the Village of Ruidoso provides 200 jobs, and Lincoln County provides 115. The Lincoln County Medical Center employs nearly 250 people. In addition, the Wal-Mart Super Center, located in Ruidoso Downs, has the capacity to employ up to 350 people, and Sierra Blanca Constructors provides between 100 and 250 jobs.

Tourism is also a major part of the Lincoln County economy. Visitors are drawn to the county's cultural and historic significance, which lays claim to Billy the Kid and Smokey Bear, as well as the natural beauty and associated recreational activities such as skiing, hiking, and fishing. Lincoln County is well-known for its "Wild West" heritage, specifically the so-called Lincoln County War of 1878, which led rise to the gunslinger Billy the Kid and his famed escape from the Lincoln County Courthouse in 1881. Visitors can learn about these events during Old Lincoln Days, held in August in the town of Lincoln. This one-street town is a National Historical Landmark, and several of its buildings make up the Lincoln State Monument. The Billy the Kid National Scenic Byway is an 84-mile loop through Lincoln County, connecting historic places such as Lincoln and Fort Stanton with the larger towns of Ruidoso and Ruidoso Downs as well as the smaller villages of San Patricio, Hondo, Capitan, and Alto. There are various tourist attractions along the route including the 25,000-acre Fort Stanton – Snowy River Cave National Conservation Area, which surrounds Fort Stanton State Historic Monument, a popular destination for hunting, hiking, and equestrian use.

In Capitan, visitors can learn about Smokey Bear, the national mascot for preventing forest fires, at the Smokey Bear Museum, the Smokey Bear Historical Park and its corresponding visitor center, and during the annual Smokey Bear Stampede, held every July (Lincoln County 2007).

### **4.3 Jurisdictional Overviews**

The following are brief overviews for each of the participating jurisdictions in the HMP Update.

#### **4.3.1 Village of Ruidoso**

The Village of Ruidoso is a unique community located at approximately 6,000 feet in elevation, tucked into Sierra Blanca and surrounded by the Sacramento Mountains and Lincoln National Forest

(Figure 4-2 and Figure 4-3). The village is a tourist destination with a permanent population of approximately 8,000 people. In the summer and during peak holiday times, that number can swell to over 30,000. Because of the physical location of the village, as well as its seasonal tourist orientation, Ruidoso must proactively address a number of specific issues in order to better control its own fate and enhance its sustainability over the long term. These issues include land development, infrastructure improvement needs, economic development and diversification, environmental protection, and retaining affordability of the community for all its citizens. The Village of Ruidoso provides many services, including some not normally found in a small community, such as community center, swimming pool, an airport, library, and convention center.

The large number of part-time residents presents challenges for providing and funding infrastructure improvements and general governmental services. The reliance on seasonal tourists for much of the revenue that supports the community means that Ruidoso must be constantly vigilant to identify and make improvements necessary to continue to attract those people to the community. The Village has worked to protect and enhance quality of life through its emphasis on hazard mitigation efforts, and resources as outlined in the Village of Ruidoso Comprehensive Plan (Village of Ruidoso 2019).

**Figure 4-2: View of Ruidoso Businesses**



Source: Village of Ruidoso (2019).

According to the 2021 U.S. Census American Community Survey, there were 7,629 people comprising 3,508 households within the Village of Ruidoso. The population density was 562.6 inhabitants per square mile. The percentage of residents within the Village 18 years of age or younger was 19.5% and the percentage of the population 65 years of age or older was 27.9% (U.S. Census Bureau 2021).

Figure 4-3: Map of Village of Ruidoso and Surrounding Areas



Source: Village of Ruidoso Comprehensive Plan (2019).

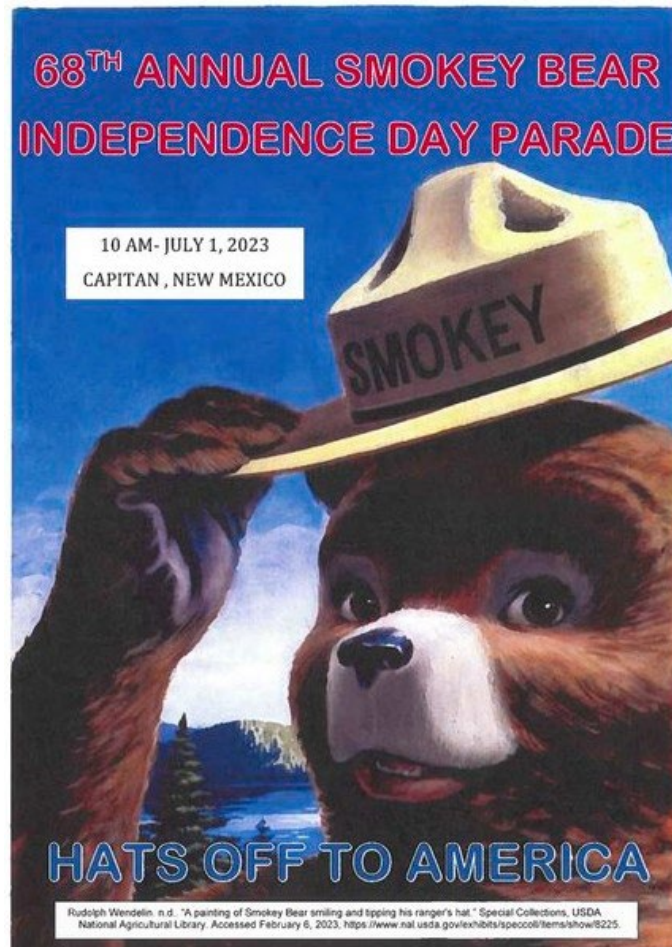
#### 4.3.2 Village of Capitan

The Village of Capitan is a growing residential community surrounded by cattle ranches, between the Capitan and Sacramento Mountains at an elevation of 6,530 feet. Founded in the 1890s and incorporated in 1937, Capitan retains its small-town country flavor to this day. Modern Capitan is a quiet village with less than 1,500 residents and a motel, three restaurants, grocery store, bank, health clinic, art galleries, two museums, a gift shop, and full-service library. The Village and surrounding area support an excellent school system.

In spring of 1950, a badly burned black bear cub was rescued from a large forest fire at Capitan Gap in the Capitan Mountains. First called Hotfoot Teddy, he was later renamed Smokey and became the real-life version of the United States Forest Service mascot Smokey Bear (Figure 4-4). Smokey was later sent to the National Zoo in Washington, D.C., where he lived for 26 years. Upon his death on November 9, 1976, Smokey's remains were returned to Capitan and buried at what is now the Smokey Bear Historical Park (Village of Capitan 2013).

According to the 2021 U.S. Census American Community Survey, there were 1,354 people comprising 561 households within the Village of Capitan. The population density was 415.3 inhabitants per square mile. The percentage of residents within the Village 18 years of age or younger was 30.2% and the percentage of the population 65 years of age or older was 25.5% (U.S. Census Bureau 2021).

**Figure 4-4: 68<sup>th</sup> Annual Smokey Bear Independence Day Parade**



Source: Village of Capitan website (2023).

#### **4.3.3 City of Ruidoso Downs**

The City of Ruidoso Downs is located in the Sierra Blanca and Sacramento Mountains at an elevation of 6,420 feet. The city boasts a mix of long-term residents and seasonal visitors, with retail, services, and attractions providing a unique small-town experience for locals and guests. The city takes its name from the Ruidoso Downs Racetrack, which opened in 1946, becoming an instant attraction for Texans who were cashing in on the oil boom.

The first home in the area of what would be present-day Ruidoso Downs was built in the 1880s by Lowery Hale. Mr. Hale owned most of the land in the area and acquired over 800 acres. The early 1900s saw the construction of the two-story White Mountain Inn on the banks of Rio Ruidoso, which further spurred the establishment of the City's first general store, post office, dance hall, tavern, and saloon in the 1930s. By the late 1930s, the community was home to approximately 500 residents. Timber played an important part of the City's development until heavy cutting decimated the area's timber resources. Today,

the City of Ruidoso Downs' economy is largely supported by the tourism and hospitality industries related to the racetrack (Figure 4-5) and its associated Billy the Kid Casino (City of Ruidoso Downs 2021).

According to the 2021 U.S. Census American Community Survey, there were 2,618 people comprising 936 households within the City of Ruidoso Downs. The population density was 690.8 inhabitants per square mile. The percentage of residents within the city 18 years of age or younger was 19.5% and the percentage of the population 65 years of age or older was 22.1% (U.S. Census Bureau 2021).

**Figure 4-5: Ruidoso Downs Racetrack**



Source: Discover Ruidoso (2023).

#### **4.3.4 Town of Carrizozo**

Carrizozo is a small town near the geographic center of New Mexico, located at the crossroads of US54 and US380, about 50 miles north of Alamogordo, and is the county seat of Lincoln County. Founded in 1899, the town provided the main railroad access for Lincoln County, and the town experienced significant population growth in the early decades of the 1900s. However, with declining relevance of the railroad, the population of the town has gradually declined.

Modern Carrizozo is a scenic small town of less than 1,000 people—half the population it had at its peak. It rests at an elevation of 5,400 feet on the northern lip of the Tularosa basin, in a region where the ecology changes very rapidly, transitioning from desert basin to high plains grassland to the north. To the west of the town is the Carrizozo Malpais Lava Flow (one of the largest young lava flows in the world) and the BLM-managed Valley of Fires Recreation Area (4 miles west of town; Figure 4-6). To the northeast is Carrizo Peak and to the southeast are the Sierra Blanca Mountains. The town is a short drive from many hiking and outdoor recreation opportunities in the Lincoln National Forest and 90 minutes from the recently established White Sands National Park. The town is 30 miles northwest of Ruidoso, 15 miles northeast of Oscuro, 12 miles west of Nogal, and 65 miles east of San Antonio and Interstate I-25 (Town of Carrizozo 2021).

According to the 2021 U.S. Census American Community Survey, there were 904 people comprising 444 households within the Town of Carrizozo. The population density was 108.1 inhabitants per square mile. The percentage of residents within the town 18 years of age or younger was 16.3% and the percentage of the population 65 years of age or older was 21.5% (U.S. Census Bureau 2021).

**Figure 4-6: 12th Street in Carrizozo, June 2023**



Source: Carrizozo Town Hall (2023).

#### **4.3.5 Village of Corona**

Corona is a village in the northern part of Lincoln County, along the US54 corridor at an altitude of 6,724 feet. Corona was established as a railroad town in 1903 with the building of El Paso and Southwestern Railroad from Carrizozo to Santa Rosa where it connected to the Rock Island Line. This brought many homesteaders and farmers to the area and initiated the growth of Corona as a trade center, enabling farmers and ranchers to ship their products to market.

In the 1940s, the village experienced outward migration as residents left to look for war-related jobs. This, as well as several droughts, logging of ponderosa pines, and overgrazing, led to a near abandonment of farming. In the 1950s, natural gas transmission lines were laid through the area, company housing was built, and some 30 families were employed. Recognized as one of the best in the state, the school has long been the focal point of the community. The Corona Municipal School District encompasses parts of three counties and serves an area of 2,061 square miles. Today, Corona is a ranching community and continues to rely on trade and the school district as the core of its economic vitality (Figure 4-7; Village of Corona 2013).

According to the 2021 U.S. Census American Community Survey, there were 104 people comprising 62 households within the Village of Corona. The population density was 100.0 inhabitants per square mile. The percentage of residents within the village 18 years of age or younger was 7.7% and the percentage of the population 65 years of age or older was 34.6% (U.S. Census Bureau 2021).

**Figure 4-7: View of Downtown Village of Corona**



Source: Village of Corona (2013).

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## SECTION 5: HAZARD IDENTIFICATION AND RISK ASSESSMENT

**§201.6(c)(2):** [The plan must include the following: a] **risk assessment** that provides the factual basis for activities proposed in the strategy to reduce losses from identified hazards. Local risk assessments must provide sufficient information to enable the jurisdiction to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards. The risk assessment shall include:

- i. A description of the type, location, and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.
- ii. A description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community. All plans approved after October 1, 2008 must also address NFIP insured structures that have been repetitively damaged by floods. The plan should describe vulnerability in terms of:
  - A. The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;
  - B. An estimate of the potential dollar losses to vulnerable structures identified in paragraph (c)(2)(i)(A) of this section and a description of the methodology used to prepare the estimate;
  - C. Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.
- iii. For multi-jurisdictional plans, the risk assessment section must assess each jurisdiction's risks where they vary from the risks facing the entire planning area.

The hazard profile and risk assessment provide the primary information for the hazard mitigation planning process. When performing a risk assessment, the following questions need to be determined: “what” can happen, “when” it is likely to happen, and “how bad” the effects can be. The primary elements of a risk assessment that answer those questions are generally described as:

- Hazard Identification and Screening
- Hazard Profiling
- Assessing Vulnerability to Hazards

The risk assessment for Lincoln County and participating jurisdictions was performed using a county-wide, multi-jurisdictional perspective. This approach was incorporated because many hazard events would likely affect numerous jurisdictions within consolidated urban areas and are rarely relegated to a single jurisdictional boundary. The vulnerability analysis was performed such that the results reflect vulnerability at an individual jurisdictional level, and at a county-wide level.

### 5.1 Hazard Identification and Screening

Hazard identification and screening is the process of analyzing what hazards occur and have the potential to occur in a jurisdiction. For the 2023 HMP update, the Planning Team reviewed the list of hazards identified in the 2018 HMP. To ensure compatibility with the State HMP, the Planning Team also compared the 2018 HMP hazard list to the comprehensive hazard list summarized in the 2018 State HMP (Figure 5-1).

The Planning Team considered including human-caused and technological hazards in the HMP but decided instead to focus on the natural hazards. Natural hazards are the focus of the federal regulations that govern the content of the HMP and must be described in the HMP in order to qualify for FEMA mitigation

funding. For hazardous materials and transportation-related hazards, the Planning Team directs inquiries to the Lincoln County Local Emergency Planning Committee (LEPC), with the Lincoln County Emergency Manager as the primary contact. The LEPC is made up of first responders, private industry, and other partners that coordinate on hazardous materials response and mitigation.

**Figure 5-1: Summary of Initial Hazard Identification Lists, 2018**

2018 County HMP Hazard List	2018 State HMP Hazard List
<ul style="list-style-type: none"> <li>• Wildfire</li> <li>• Flood</li> <li>• Drought</li> <li>• Thunderstorms (Lightning and Hail)</li> <li>• Winter Storms</li> <li>• Dam Failure</li> </ul>	<ul style="list-style-type: none"> <li>• Dam Failure</li> <li>• Drought</li> <li>• Earthquake</li> <li>• Extreme Heat</li> <li>• Expansive Soils</li> <li>• Flood/ Flash Flood</li> <li>• High Wind</li> <li>• Landslides</li> <li>• Land Subsidence</li> <li>• Severe Winter Storms</li> <li>• Thunderstorms (Lightning and Hail)</li> <li>• Tornadoes</li> <li>• Volcanoes</li> <li>• Wildland/Wildland-Urban Interface Fire</li> </ul>

One tool used in the initial screening process was the historic hazard database referenced in the 2018 HMP. For the 2023 HMP Update, the data were reviewed and updated to include declared disaster events and significant non-declared events that have occurred since 2016, when data collection ended for the 2018 HMP. Declared event sources included New Mexico DHSEM, FEMA, the National Weather Service (NWS), NOAA, National Centers for Environmental Information (NCEI), United States Geological Survey (USGS), and United States Forest Service (USFS). Figure 5-2 summarizes the federal major disaster declarations that included Lincoln County.

**Figure 5-2: Federal Major Disaster Declarations that included Lincoln County**

Declaration Date	DR Number	Hazard	Description
May 4, 2022	4652	Wildfires, Flooding, Mudflows, Straight-line winds	Wildfires and straight-line winds resulted in flooding, mudflows, and debris flows, which all caused damages from April to July 2022. The County was approved for Public and Individual Assistance. Hazard Mitigation Grant Program (HMGP) was made available state-wide.
April 5, 2020	4529	Coronavirus Disease 2019 (COVID-19) Pandemic	The COVID-19 Pandemic resulted in emergency conditions from January 2020 to May 2023. The County was approved for Public and Individual Assistance. HMGP was made available state-wide.

Declaration Date	DR Number	Hazard	Description
October 29, 2014	4199	Severe storms, Flooding	Severe storms and flooding resulted in damages in September 2014. The County was approved for Public Assistance. HMGP was made available state-wide.
October 6, 2014	4197	Severe storms, Flooding	Severe storms and flooding resulted in damages in late July to early August of 2014. The County was approved for Public Assistance for this disaster. HMGP was made available state-wide.
October 29, 2013	4152	Severe storms, Flooding, Mudslides	Severe storms, flooding, and mudslides resulted in damages in September 2013. The County was approved for Public Assistance for this disaster. HMGP was made available state-wide.
August 24, 2012	4079	Flooding	Flooding resulted in damages in mid-June to mid-July of 2012. The County was approved for Public Assistance. HMGP was made available state-wide.
March 24, 2011	1962	Severe winter storm, Extreme cold temperatures	Severe winter storms and extreme cold temperatures resulting in damages in early February 2011. The County was approved for Public Assistance. HMGP was made available state-wide.
August 14, 2008	1783	Severe storms, Flooding	Severe storms and flooding in resulting in damages in late July to mid-August of 2008. The County was approved for Public Assistance. HMGP was made available state-wide.
August 30, 2006	1659	Severe storms, Flooding	Heavy rainfall in August of 2006 caused rivers to rise. The County was approved for Public Assistance. HMGP was made available state-wide.
May 13, 2000	1329	Wildfire	For the Cerro Gordo Fire, the County was approved for Individual Assistance. Counties closer to the burn area were approved for Public Assistance (Los Alamos, Bernalillo, Otero).

Source: FEMA (2023b) and State Mitigation Program.

Figure 5-3 summarizes the Fire Management Assistance Grant (FMAG) declarations that included Lincoln County.

**Figure 5-3: Fire Management Assistance Grant Declarations that included Lincoln County**

Declaration Date	FMAG Number	Fire	Description
April 12, 2022	5432	McBride Fire	Lincoln County was approved for fire suppression cost reimbursement. Hazard Mitigation Grant Program - Post Fire (HMGP-PF) was made available.
April 12, 2022	5433	Nogal Canyon Fire	Lincoln County was approved for fire suppression cost reimbursement. HMGP-PF was made available.
April 27, 2021	5386	Three Rivers Fire	Lincoln County was approved for fire suppression cost reimbursement. HMGP-PF was made available.
June 9, 2012	2979	Little Bear Fire	Lincoln County was approved for fire suppression cost reimbursement.
June 30, 2011	2935	Donaldson Fire	Lincoln County was approved for fire suppression cost reimbursement.
April 3, 2011	2880	White Fire	Lincoln County was approved for fire suppression cost reimbursement.
May 25, 2004	2518	Peppin Fire	Lincoln County was approved for fire suppression cost reimbursement.

Source: FEMA (2023b) and State Mitigation Program.

The previous occurrence hazard database presented in this 2023 HMP Update primarily represents the period of January 2017 to December 2022. Figure 5-4 summarizes Lincoln County hazard events that meet the following selection criteria:

- One or more fatalities
- One or more injuries
- Significant event, as expressed in historical records or according to defined criteria above

**Figure 5-4: Past Occurrences of Profiled Hazards per Participating Jurisdiction between 2017 and 2022**

Jurisdiction	Number of Events between January 1, 2017, and December 31, 2022						
	Wildfire	Flood	Thunderstorm/ Lightning	Hail	Winter Storms	High Wind	Drought
Lincoln County	5	23	8	22	10	44	4
Village of Ruidoso	12	20	1	3	4	27	3
City of Ruidoso Downs	6	17	0	2	3	27	3
Town of Carrizozo	0	0	1	2	1	7	3
Village of Capitan	5	3	0	4	4	27	3
Village of Corona	0	0	0	3	1	19	3

Source: These counts include Previous Occurrence mapped data from National Centers for Environmental Information (NOAA 2023a), and input from the Planning Team on additional wildfires.

Figure 5-5 shows the number of events in the NCEI recorded history (NOAA 2023a). There is variation in the year of the first record of each hazard and it is important to note the year a hazard was initially recorded. Drought records begin in 2011; flood and flash flood records begin in 1996; high wind and severe winter storms each begin in 2009; thunderstorm event records start in 1989; the first hail record is from 1962; tornados were first recorded in 1957; and the first wildfire was recorded in 1996.

**Figure 5-5: Lincoln County Hazard Recorded Events – NCEI Recorded History (through December 2022)**

Hazard (year of first recorded event)	Number of Records	Recorded Losses		
		Fatalities	Injuries	Damage Costs
Wildfire (1984)*	45*	2	0	\$31,031,000
Flood (1996)	61	3	1	\$27,425,500
Thunderstorms/ Lightning (1989)	27	1	3	\$1,000,000
Hail (1962)	84	0	0	\$76,000
Severe Winter Storms (2009)	50	0	0	\$6,627,000 <sup>†</sup>
High Wind (2009)	134	0	1	\$294,000
Tornado (1957)	19	0	0	\$101,050
Drought (2011)	164	0	0	\$0

Source: NOAA (2023a).

Notes: Most hazards do not have records prior to 2000. Costs are listed as reported and have not been adjusted to current value.

\* This includes previous occurrence mapped data, data from NCEI, and input from the Planning Team on additional wildfires.

<sup>†</sup> A severe winter storm that was not listed in the NCEI records was included in this total. The storm occurred in 1997 and was the most impactful winter storm on county record, with direct damage totals over \$6 million.

The culmination of the review and screening process by the Planning Team resulted in a decision to revise the hazard list. The following changes were made based on the number of events and impacts.

- **Flood** – For the 2018 HMP, the Town of Carrizozo and Village of Capitan chose to exclude flood due to few occurrences and limited impact. Over the last six years, floods have had significant impacts on the communities, and the Planning Team representatives determined that profiling flood was necessary to make better information decisions about effective mitigation activities.
- **Winter Storms** – For the 2018 HMP, the Village of Ruidoso and City of Ruidoso Downs chose to exclude winter storms due to few occurrences and limited impact. Over the last six years, winter storms have had significant impacts on the communities, and the Planning Team representatives determined that profiling winter storm was necessary to make better information decisions about effective mitigation activities.
- **High Winds** – Over the last six years, there have been significant impacts from high winds; therefore, each Planning Team Member deemed it necessary to add this hazard back. Since the last HMP update in 2018, the interconnection and cascading impact of hazards has also been

recognized, resulting in a need to discuss high wind in the context of other hazards such as wildfire.

- **Tornado** – With an average of \$1,500 per year in damages over 65 years, the Planning Team considers tornadoes a nuisance hazard. Therefore, it was not profiled. Tornado occurrence is included in the thunderstorm or the high wind descriptions based on how the event was reported in the NCEI.

During the update process, each participating jurisdiction only addressed the hazards that are significant to their community. Updated definitions for each hazard are provided in Section 5.3, and Figure 5-6 presents the specific hazards chosen by each participating jurisdiction.

**Figure 5-6: Hazards Identified and Profiled for Each Participating Jurisdiction**

Hazard Matrix	Lincoln County	Village of Ruidoso	City of Ruidoso Downs	Town of Carrizozo	Village of Capitan	Village of Corona
Wildfire	X	X	X	X	X	X
Flood	X	X	X	X	X	Not profiled
Thunderstorms	X	X	X	X	X	X
Winter Storms	X	X	X	X	X	X
High Wind	X	X	X	X	X	X
Drought	X	X	X	X	X	X
Dam Failure	X	X	X	Not profiled	Not profiled	Not profiled

## 5.2 Climate Change

FEMA requires that jurisdictions consider the impact that climate change has on natural hazards. Per FEMA guidance, climate change in and of itself may not be a hazard, but it may change the characteristics of the hazards that currently affect the planning area. Generally, natural hazards are expected to occur more frequently and with more intensity due to climate change conditions. Even if human factors, such as greenhouse gas emissions and deforestation, are reduced or eliminated, climate change will continue to affect our natural systems and impact natural disasters for decades to come. Planning for climate change is inextricably linked to natural hazard planning and can provide a better understanding of how risk may change in the future.

The impacts of climate change can be difficult to predict; they are dependent on many global factors and vary based on geography. For example, coastal regions will be more heavily impacted sooner due to rising sea levels and the impact on coastal storms. Similarly, more northern regions will experience warming effects more harshly as high-latitude species are less resilient to rising temperatures and reduced precipitation. For the Southwest, research from the United States Global Change Research Program, published in the Fourth National Climate Assessment (USGCRP 2018), indicates several climate change trends such as rising annual temperatures, decreasing snowpack, increased evapotranspiration, and increases in severe weather events related to atmospheric and air cycling changes. Community resilience efforts are also an important consideration when assessing a community's ability to mitigate and adapt to the impacts of climate change.

The National Climate Assessment (NCA) was released by the USGCRP and assesses the potential variable impacts of climate change on land, biodiversity, people, and the many systems we rely on for our wellbeing. The NCA report is divided into regions, and the Southwest region includes the states of Arizona, California, Colorado, Nevada, New Mexico, and Utah. According to the NCA, the anticipated climate change impacts for the Southwest include increased heat, drought, and insect outbreaks that result in more wildfires, declining water supplies, reduced agricultural yields, health impacts in cities due to heat, and increased flooding and erosion. The NCA released the following “6 Key Messages” for the Southwest Region:

1. Water Resources:

The Southwest has seen worsening drought conditions in recent years and this trend is expected to continue. A growing population in southwestern states is placing further pressure on diminishing surface and groundwater supplies.

2. Ecosystems and Ecosystem Services:

Climate change has worsened drought conditions and led to an increase in wildfires in the Southwest that has reduced habitat, worsened water quality and security, and reduced economic livelihood based around ecosystem services.

3. Indigenous Peoples:

Traditional natural resource-based livelihoods typical of indigenous communities are at risk due to climate change impacts on resource availability. Drought threatens traditional water sources and aquatic species that rely on consistent, clean water. Traditional foods, medicines, and culturally relevant places are threatened by increasing wildfires and land development.

4. Energy:

Hydropower energy generation is becoming increasingly less reliable due to worsening drought and reservoir sedimentation. Fossil fuels have been shown to contribute to global greenhouse gases and are increasingly noncompetitive with renewable sources. A diverse portfolio of energy generation, centered on renewable sources, is emphasized to ensure livelihoods in the Southwest.

5. Food:

The impact of climate change on food production is broad and can result in large-scale food insecurity. Climate change has led to inconsistent weather events and unseasonably warm temperatures. This is causing water shortages, heat waves, and milder winter conditions. These factors place stress on crops as well as creating potentially unsafe conditions for agricultural workers.

6. Human Health:

Health issues related to climate change impact people in the Southwest as extreme heat and reduced air quality cause illness and death. Events such as heat stroke and respiratory illness will continue to impact the population, especially vulnerable individuals such as children and the elderly.

A major concern for western states is the impacts to water resources that are often already overburdened by growing populations. Some of the effects are already being felt with reductions in annual snowpacks and runoff occurring earlier in the season. This can be attributed to trends toward earlier spring warming speeding up melting and exacerbating drought conditions. Strain to water resources has also played a role in declining forest health. Large numbers of trees have died as a result of reduced water availability and increased number of pests and diseases such as bark beetles associated with shorter freezing

periods. These forest health conditions result in more severe wildfires due to an increase in highly flammable dead and downed fuel loads.

According to multiple climate-modeling predictions, including the Intergovernmental Panel on Climate Change (IPCC), USGCRP, and the U.S. Bureau of Reclamation, New Mexico is expected to become hotter and more arid over the next 50 years due to anthropogenic climate change. It is expected that with little to no change in general behavior, the state will experience a temperature increase between 3°F and 7°F by 2070. During the same time period, average annual precipitation is not expected to decrease much. However, reductions in spring precipitation, coupled with rising temperatures, show trends toward aridification in the state.

The 2022 *New Mexico Earth Matters – Climate Change and New Mexico's Water Resources: A 50-Year Outlook* from the New Mexico Bureau of Geology and Mineral Resources (NMBGMR), assessed the potential impacts of climate change on the state's water resources. The assessment breaks the state into four regions to more precisely account for geography and local conditions. Lincoln County is split between three regions: the western portion of the county falls within the Rio Grande Valley Region; the eastern portion is mostly in the Eastern Plains Region; and a small section of the south-central portion of the county is within the High Mountains Region. The High Mountain Region borders along Ruidoso and Ruidoso Downs while the remaining profiled communities fall within the Rio Grande Valley Region. None of the communities profiled fall within the Eastern Plains Region, although Corona is positioned very closely to the western border of the Eastern Plains Region. Unincorporated Lincoln County covers portions of both the Eastern Plains Region and Rio Grande Valley Region. The dividing line of these zones bisects the county in a mostly north-south orientation, moving along the mountain range and falling to the east of Capitan Mountain.

For the High Mountain Region, the most impactful expected change is a reduction in annual snowpack. There is not significant evidence that points to reductions in winter storm events or cumulative snowfall; however, winter temperatures are expected to increase. Higher average winter temperatures reduce how long snow lasts following a storm and higher elevations are predicted to see higher relative temperatures increase. Higher temperatures correlate with increases in the rate of evaporation, further impacting water supply for communities and reliant ecosystems as subsurface aquifers are denied recharge. This creates a cascading effect for communities that rely on runoff and aquifers for water sources through the summer. Of particular concern is the impact this will have on forest health and susceptibility to wildfire (NMBGMR 2022).

An associated impact of aridification is damage to soil health and loss of topsoil. As water becomes less available, plant communities shift, and soil will become unstable. Areas generally covered in grasses and intermixed forest may see large die offs of these species as they are replaced by drought-tolerant shrubs with much shorter root systems. This community shift is associated with less stable soil that is prone to erosion. Similarly, as plant communities dry, specifically forests, they are prone to high-intensity wildfires. Burned soil becomes extremely water resistant, creating highly erosive landscapes and damaging watersheds as they become filled with transported sediment. Sedimentation is a concern for acequias, and these water systems may require additional attention to clearing and maintenance to ensure water transport can continue efficiently.

In the Rio Grande Valley Region, climate change is also expected to lead to higher rates of evapotranspiration, which will reduce base flow in the river basins and reduce aquifer recharge rates. Many communities in the region are dependent on groundwater and reservoirs for municipal use. The NMBGMR estimates that reservoirs could see a 30% increase in the amount of water lost to evaporation within 50 years. As discussed above, climatic changes will alter snowpack, which will shift the timing and magnitude of runoff. Vegetation and ecological impacts for the Rio Grande Valley Region are similar to those expected

for the High Mountain Region; reduced water availability will strain vegetation communities and shift them toward drought-tolerant species that do little to stabilize and maintain soil. This shift also reduces water retention across the landscape and reduces resilience to severe weather events.

To adhere to FEMA’s planning requirements and ensure communities are aware of potential impacts exacerbated by climate change, the HMP explains how communities can expect the magnitude, frequency, and probability of hazards to change. Each hazard profile explains the best available science on the expected impact of climate change. These descriptions help communities plan for economic, physical, and social resilience. Mitigation recommendations address reducing the impact of natural hazards to strengthen their capacity to further resilience.

### **5.2.1 *Cascading Events***

Lincoln County, like many counties in New Mexico, is subject to cascading disaster events associated with drought, wildfire, and flood. The drought-wildfire-flood cascading event cycle is closely tied to ecosystem health and land management practices, including previous wildfire suppression.

The drought-wildfire-flood cycle begins when long-term drought conditions persist over time, acting as a key contributor to declined forest health. Drought, when coupled with human disruption to natural fire and water cycles, climatic variations due to climate change, and unsustainable natural resource use, can leave communities subject to catastrophic wildfires, accelerated erosion, flash-flooding events, decreased water supply, and an overall reduction in watershed health. A decline in forest health will lead to a higher occurrence of standing dead and deadfall trees. This adds to fuel loads which can increase the chances of high-intensity crown fires and catastrophic wildfire events.

Catastrophic wildfires occur when vegetation is consumed at an intense rate, leaving soil denuded, landscapes susceptible to erosion, and excessive post-fire flooding events. Vegetation loss and degraded soil health resulting from catastrophic wildfire events can lead to destructive flood events even under normal precipitation conditions. High-intensity storms can create extreme erosion and flooding conditions, phenomena that are expected to increase under climate change conditions. Flooding and extreme erosion events can result in property damage, impacts to infrastructure such as critical travel routes, and even loss of life. Sediment transport from large-scale erosion or flooding events can degrade water resources on a regional level due to widespread sediment transport. Acequias are particularly vulnerable to sedimentation and can require consistent maintenance when watersheds are highly erosive. Damage from flood events further contributes to the declining health of local ecosystems by limiting the integration of winter and spring precipitation into natural waterways or regional aquifers, intensifying future drought conditions.

While complex, understanding the concept of cascading disaster events will inform how the communities in Lincoln County tailor their mitigation strategies to lessen impacts from future drought, wildfire, and flooding events. Prevention of cascading disaster events requires communities approach hazard mitigation efforts holistically, rather than using a stand-alone approach for each hazard. A focus on overall system health, and an understanding of the interconnection of watersheds, forest health, and downstream impacts, will help communities effectively build natural resilience and capacity to address future needs.

## **5.3 Hazard Risk Profiles**

The following sections detail the risk profiles for each of the hazards identified for each community. For each hazard, the following elements are addressed to present the overall risk profile:

- Description
- Previous Occurrences
- Location
- Extent
- Probability, with consideration for the impacts of climate change. The definitions used for Probability are described in Section 5.5., Priority Risk Index Evaluation.
- Climate Change

### **5.3.1 Wildfire**

#### **5.3.1.1 Description**

A wildfire is any fire occurring in a wildland area (e.g., grassland, forest, brush land) except for fire under prescription and mitigation. Wildfires are part of the natural management of forest ecosystems but may also be caused by human factors. According to the National Fire Protection Association (NFPA), over 80% of forest fires are started as a result of negligent human behavior such as smoking in wooded areas or improper extinguishing of campfires. Lightning is the second most common cause for wildfire and is the only natural cause of wildfire.

According to the USFS, there are three general classes of wildland fires: surface fires, ground fires, and crown fires. A surface fire is the most common of these three classes and burns along the floor of a forest, moving slowly and killing or damaging trees. A ground fire is usually started by lightning or human carelessness and burns on or below the forest floor. Crown fires spread rapidly by wind and move quickly by jumping along the tops of trees. Crown fires are often the most intense and fastest-spreading fires as they burn multiple layers of vegetation, spread quickly and burn very hot, which reduces the potential of tree recovery post-fire.

Wildfires can occur at any time of day and during any month of the year, but the peak fire season in Lincoln County is normally from March through June. The length of the fire season and the peak months vary appreciably from year to year. Land use, vegetation, amount of combustible materials present, and weather conditions such as wind, low humidity, and lack of precipitation are the prevailing factors in the number of fires and acreage burned in a given area. Generally, fires are more frequent when vegetation is dry and brittle from a winter with little snow and/or a spring and summer with sparse rainfall. New Mexico, in general, remains very dry and is often susceptible to wildfire events due to environmental factors.

Wildfires are capable of causing significant injury, death, and damage to property. The potential for property damage from fire increases each year as more recreational properties are developed on forested land and more people use these areas. Fires can extensively affect the economy of an area, especially the logging, recreation, and tourism industries, which many counties rely on. Impacts from wildfires on these key economic industries include immediate danger, disturbance to short- and long-term scenic views, and damage to trails, watersheds, and industry-supporting infrastructure. Major direct costs associated with wildfires are the salvage and removal of downed timber and debris as well as the restoration of the burned area. The cascading effects of wildfires can also be catastrophic. In addition to stripping the land of vegetation and destroying forest resources, large, intense fires can harm the soil, waterways, and the land itself. Soil exposed to intense heat may lose its natural properties that include the potential absorption of moisture and support life. If burned-out woodlands and grasslands are not quickly revegetated, widespread soil erosion, mudflows, and siltation of rivers could result, thereby enhancing flood potential, harming

aquatic life, and degrading water quality. Lands stripped of vegetation by wildfires can cause stabilization issues such as an increase in landslide hazards.

The majority of Lincoln County is dominated by a high desert, with grasslands, piñon-juniper forests, ponderosa pine forests, and dry mixed conifer forests occurring at progressively higher elevations. Currently, forests are too dense, with most stands in the county being overstocked, contributing to a high degree of departure from the historic range of variability. Lincoln County's wildland urban interface (WUI) and areas of high fire risk are a mix of piñon-juniper, ponderosa pine, and mixed conifer forest types. Limited amounts of riparian forests exist along waterways. Stand densities in untreated forest are higher than historical norms. According to the 2019 Lincoln County CWPP, beetle and insect damage are at epidemic proportions. This combination of insects, disease, drought, and fire-caused stress is responsible for significant mortality in some stands/hillsides and is expected to continue. This mortality increases fire risk while dead trees hold needles, contributing to increased fuel loading as dead trees fall to the forest floor. Treated areas (public and private land) have generally fared better than untreated land but are not immune to insects, disease, or drought. Current conditions around communities have improved largely due to previous fuel reduction projects, with more reduction projects being planned from the USFS Smokey Bear Ranger District within Lincoln County.

Wildfires have been the leading cause of damage to Lincoln County's infrastructure, and often affect them through multiple phases. This usually includes the wildfire destroying the facility or infrastructure first, which the community will repair, followed by burn scar flooding, which usually destroys the facility or infrastructure numerous times and for many years after the fire incident. This is why it is so critical for these communities to conduct mitigation measures such as: fire breaks, maintenance of utilities and their easements, thinning prescriptions, building with fire resistant materials, relocation of utilities into less vulnerable locations, hardening or armoring of utilities, treatment of roads, upsizing culverts and bridges, implementing erosion control mechanisms, installing warning systems to alert the community of a disaster, and providing the community a clear and easy evacuation plan. When assessing risk from wildfire, it is critical to not only mitigate the ignition and spread of wildfire, but also consider the longer-term impacts of fire on the landscape and the functionality of forests and watersheds.

The stakeholders in Lincoln County have been working with one another for over a decade to increase communication and pertinent information regarding fire strategies. Over this time, great strides have been made in reducing the wildfire risk around the community. Firewise USA® is a program administered by the NFPA that provides a framework and guidelines to assist the community get organized and take action to increase ignition resistance of their homes to reduce overall wildfire risks at the local level. Ruidoso became a Firewise community in 2003. The Black Forest Subdivision (Village of Ruidoso) and the Ranches of Sonterra Subdivision (unincorporated Lincoln County) became Firewise communities in 2015 (NFPA 2023). The surrounding subdivisions and communities are currently implementing similar strategies. The Sierra Blanca Wildfire Training Academy has been training local and regional firefighters and provides a variety of National Wildfire Coordinating Group classes for municipal, volunteer, state, and federal agency firefighters. The Greater Ruidoso Area Working Group provides a forum for agency representatives to plan and develop new projects. Local fire departments are implementing interagency cooperative burns.

Much of the county has been treated to reduce hazardous fuel. Strategically located public land has been treated by government agencies, and private land has been treated by landowners, often with the assistance of government grant programs. The desired conditions around structures include defensible space with a minimum cleared area extending 30 feet from the structure. Additional clearance is desirable if appropriate. A variety of fuel treatment strategies are needed to reach the desired conditions. Treatment types include mechanical removal, mastication, bulldozer pushes, piling, handwork, and prescribed burns.

Fire fuels vary greatly, but ultimately, strategic fuels management will create defensible spaces around homes, businesses, and various properties within the county. These fuel reduction projects or treatments have been occurring within the county since the beginning of the decade. In 2018, 60 acres of the Sierra Blanca Regional Airport property was thinned to reduce fuel loads. The Village of Ruidoso has the goal of thinning 530 total acres on the airport property, according to the 2019 CWPP. Within the Lincoln National Forest, as recently as 2019, tree thinning has been occurring to combat wildfire conditions. The first cycle of tree thinning was completed in 2017. Additionally, as of 2019, the second year of the second cycle was completed. At the Fort Stanton – Snowy River Cave National Conservation Area, BLM has been conducting thinning, mastication, controlled burns, and herbicide application since 2015. Further, in order to maintain and ensure compliance with fuel management ordinances, the Village of Ruidoso Forestry Department has established a 10-year rotational certification process on all properties within the Village of Ruidoso. Finally, in 2019, the CWPP for the Greater Ruidoso Area and Lincoln County was formally updated.

Factors that determine the potential for fire include relative humidity, moisture content of the fuel, atmospheric stability, drought, available energy of the fuel, probability of ignition, rate of spread, and the slope and fuel levels of the area. These factors are considered when determining the fire danger for a specific area:

- **Relative humidity (RH).** RH is the ratio of the amount of moisture in the air to the amount of moisture necessary to saturate the air at the same temperature and pressure. RH is expressed in percentages. RH is measured directly by automated weather stations or by taking wet and dry bulb readings with a psychrometer and then applying the NWS psychrometric tables applicable to the elevations where the reading was taken. Depending on the RH value, fire fuel moisture can either be dampened (high RH) or dried out (low RH).
- **Fuel moisture.** Fuel moisture is influenced by environmental conditions such as weather, time of day, and local topography. Fuel moistures in live herbaceous (annual and perennial), woody (shrubs, branches, and foliage) fuels, and dry (dead) fuels are calculated and represent approximate moisture content of the fuel. Fuel moisture levels are measured in 1-, 10-, 100-, and 100-hour increments.
- **The Lower Atmosphere Stability Index or Haines Index.** This index is computed from the morning soundings from Radiosonde Observation stations across North America. The index is composed of a stability term and a moisture term. The stability term is derived from the temperature difference at two atmospheric levels. The moisture term is derived from the dew point depression at a single atmospheric level. This index has been shown to correlate with large fire growth on initiating and existing fires where surface winds do not dominate fire behavior. Haines Index values range from 2 to 6 for indicating the potential for large fire growth:

### Haines Index Level Description

- 2 = Very Low Potential (moist, stable lower atmosphere)
- 3 = Very Low Potential
- 4 = Low Potential
- 5 = Moderate Potential
- 6 = High Potential (dry, unstable lower atmosphere)

- **Keetch-Byram Drought Index (KBDI).** This index is used to measure the effects of seasonal drought on fire potential. The actual numeric value of the index is an estimate of the amount of precipitation (in hundredths of inches) needed to bring soil back to saturation (a value of 0 being saturated). The index deals with the top 8 inches of soil profile, so the maximum KBDI value is 800 (8 inches), the amount of precipitation needed to bring the soil back to saturation. As the index values increase, the vegetation is subjected to greater stress from moisture deficiency. At higher values, living plants die and become fuel, and the duff/litter layer becomes more susceptible to fire.

The KBDI ranges from 0 to 800:

**KBDI 0 to 200.** Soil moisture and large-class fuel moistures are high and do not contribute much to fire intensity. This is typical of spring dormant season following winter precipitation.

**KBDI 200 to 400.** This range is typical of the late spring, early growing season. Lower litter and duff layers are drying and beginning to contribute to fire intensity.

**KBDI 400 to 600.** This range is typical of late summer, early fall. Lower litter and duff layers actively contribute to fire intensity and will burn actively.

**KBDI 600 to 800.** This range is often associated with more severe drought with increased wildfire occurrence. Intense, deep-burning fires with significant downwind spotting can be expected. Live fuels can also be expected to burn actively at these levels.

- **The Energy Release Component.** This is the estimated available energy released per unit area in the flaming front at the head of a fire. The day-to-day variations of the energy release component are caused by changes in the moisture contents of the various fuel classes, including the 1,000-hour time lag class. The energy release component is derived from predictions of the rate of heat release per unit area during flaming combustion and the duration of flaming. The value of this component can be used as a planning tool for an eventual fire season.
- **The Ignition Component.** The ignition component is a number that relates the probability that a fire will result if a firebrand (blowing embers) is introduced into a fine fuel complex. The ignition component can range from 0, when conditions are cool and damp, to 100 on days when the weather is dry and windy. Theoretically, on a day when the ignition component registers a 60, approximately 60% of all firebrands that encounter wildland fuels will require suppression action.
- **The Spread Component.** This is a numerical value derived from a mathematical model that integrates the effects of wind and slope with fuel bed and fuel particle properties to compute the forward rate of spread at the head of the fire. Output is in units of feet per minute. A spread component of 31 indicates a worst-case, forward rate of spread of approximately 31 feet per minute. The inputs required to calculate the spread component are wind speed, slope, fine fuel moisture (including the effects of green herbaceous plants), and the moisture content of the foliage and twigs

of living, woody plants. Since the characteristics through which the fire is burning are so basic in determining the forward rate of spread of the fire front, a unique spread component table is required for each fuel type.

- **Slope and Fuel Levels Matrix.** The International Fire Code Institute (2000) combines slope and fuel levels to obtain a susceptibility index (Figure 5-7).

**Figure 5-7: Wildfire Susceptibility Matrix**

Fuel Class	Critical Fire Weather Frequency								
	<1 Day per Year			2–7 Days per Year			8+ Days per Year		
	Slope Percent			Slope Percent			Slope Percent		
	<40	41–40	61+	<40	41–40	61+	<40	41–40	61+
Light	M	M	M	M	M	M	M	M	H
Medium	M	M	H	H	H	H	E	E	E
Heavy	H	H	H	H	E	E	E	E	E

Source: International Code Council, Inc. (2000)

Key: E = Extreme; H = High; M = Medium

Wildfires result from both human and natural causes. According to interFIRE (2023), there are four overarching causes of wildfires: accidental, natural, incendiary, and undetermined (Figure 5-8).

**Figure 5-8: Fire Cause Classification**

Fire Cause Determination	Description
Accidental	This fire cause does not involve the intentional ignition or fire spread through a human act. Although an accidental fire could be human-caused, for example, an individual could start a trash fire which might be spread by a sudden gust of wind.
Natural	A fire caused through natural means is a fire that is unplanned that burns without human activity. Some examples of this type of fire cause include lightning, earthquake, and wind that topples power lines that then cause a fire event.
Incendiary	This fire is one that is intentionally ignited under circumstances in which the individual(s) knows that the fire should not be ignited.
Undetermined	This fire cause is defined as a fire that does not have a proven source of ignition, although the fire might still be under investigation, and the cause may be determined at a later date. Investigators should strive to keep an open, unbiased thought process during an investigation.

Source: interFIRE (2023)

The New Mexico Forest Action Plan (NM Forestry Division 2021) determines overall risk based on the cumulative potential impact of six threat categories on eight ecosystem service values. Threat categories are: wildfire; disease, insects, and invasive species; development and fragmentation; post-wildfire hazard; climate change; and erosion and sedimentation. Ecosystem service values are: water quality and supply; biodiversity; recreation; timber and grazing; wildland and communities; urban forests and

communities; carbon sequestration and soils; and indigenous uses. Ecosystem service values are also weighted based on size and use so resources such as highly used watersheds are prioritized. The threats are overlain on a map of each ecosystem service value category to determine where mitigation investments are most likely to have a high return. A map was produced assessing each threat individually across each ecosystem service value. In addition, cumulative assessment maps were prepared for intersecting threats on ecosystem service values. Potential for large fire growth (Haines Index), effects of seasonal drought on fire potential (Keetch-Byram Drought Index, KBDI), and combined slope and fuels levels (wildfire susceptibility index) were taken into consideration as part of the threat analysis for the New Mexico Forest Action Plan. Figure 5-9 describes the range used for the wildfire threat maps included in the Lincoln County HMP, based on the cumulative assessment maps. The data from the New Mexico Forest Action Plan (NM Forestry Division 2021) was used to prepare the wildfire threat maps and the percentage breakdowns shown in Figure 5-9.

**Figure 5-9: Wildfire Threat Range for Lincoln County HMP**

Threat Level	Percentage of Risk Likelihood (Six Threat Categories and Eight Ecosystem Service Values)	Map Color
Low	0%–29.9%	Light Blue/Green
Medium	30%–59.9%	Yellow
High	60%–100%	Deep Orange/Red

Source: NM Forestry Division (2021) with the addition of percentage breakdown and color.

### 5.3.1.2 Previous Occurrences

According to historical fire and resource data from the Southwest Coordination Center, from 2016 to 2022 New Mexico averaged 964 wildland fires annually, burning an average of 285,000 acres each year (Southwest Coordination Center 2023). Figure 5-10 describes the wildfires that occurred per participating jurisdiction within Lincoln County between March 2016 and December 31, 2022, according to the NCEI, New Mexico Fire Information, and Planning Team input. The previous occurrence listing for wildfires prior to March 2016 is found in Appendix B-1; this is the same list that was shown in the 2018 HMP.

**Figure 5-10: Previous Occurrences of Wildfire, March 2016 through December 31, 2022 (Lincoln County)**

Location	Fire Start Date	Detailed Description
Village of Ruidoso City of Ruidoso Downs	3/28/2016 Moon Mountain Fire	The Moon Mountain Fire was detected on March 28, approximately 1 mile east of the Village of Ruidoso. The fire burned timber, tall grass, and understory, which engulfed 125 acres within state and private land. There were 0.2 acres burned on Lincoln National Forest land. Additionally, two individuals received minor injuries. Thinning conducted on Village property in 2013 allowed the fire fighters to burn the vegetation prior to the main fire impacting the area (“backburn”). The thinning contributed to stopping the fire more effectively, causing less damage. *

<b>Location</b>	<b>Fire Start Date</b>	<b>Detailed Description</b>
Lincoln County Village of Capitan	4/12/2018 246 Fire	The 246 Fire began on April 12 when high winds caused a prescribed burn near Capitan (east of Highway 246) to burn out of control. Over 3,000 acres were burned and 16 structures, including two homes, were lost during the blaze. The fire burned across both private and USFS land. †
Village of Ruidoso	5/6/2018 Mechem Drive Fire	The USFS assisted the Village Fire Department to extinguish this 0.3-acre brush fire.
City of Ruidoso Downs	4/3/2019 US70 near Dipaolo Drive intersection	The City Fire Department extinguished this grass fire which was less than 0.5 acre.
Lincoln County	6/19/2019 Pine Lodge Fire	The Pine Lodge Fire began on June 19 when dry grass was ignited by an unknown cause. The blaze quickly spread under windy conditions, burning just over 15,000 acres, mostly within Lincoln National Forest and Pine Lodge Wilderness. At least three homes were burned as the fire spread.
Village of Ruidoso	7/9/2019 Hull Road Fire	The Village Fire Department extinguished this 0.1-acre brush fire.
City of Ruidoso Downs	4/23/2020 US70 approximately 800 feet northwest of the Solid Waste Authority	The City Fire Department extinguished trees on fire on 0.25 acre.
Village of Ruidoso	5/24/2020 Sudderth Drive Fire	The Village Fire Department extinguished this 0.25-acre brush fire.
Village of Ruidoso	6/21/2020 Lookout Drive Fire	The Village Fire Department extinguished this 0.5-acre brush fire.
Village of Ruidoso	7/9/2020 Lookout Drive Fire	The Village Fire Department extinguished this 0.5-acre brush fire.
Village of Ruidoso	6/21/2020 Wiggins Way Fire	The Village Fire Department extinguished this 0.1-acre brush fire.
City of Ruidoso Downs	9/10/2020 US70 approximately 2,500 feet northeast of Agua Fria Drive	The City Fire Department extinguished this natural vegetation fire which was less than 0.5 acre.
Village of Ruidoso	10/25/2020 Cree Meadows Fire	The Village Fire Department extinguished this 0.25-acre brush fire.

Location	Fire Start Date	Detailed Description
Lincoln County	4/26/2021 Three Rivers Fire	This fire was located near the Three Rivers Campground within Lincoln County near Mescalero Apache Tribal lands. The fire is still under investigation with no known cause of ignition. The fire originated 0.5 mile north of the Three Rivers Campground and spread toward Ski Apache and the South Fork/Bonito Area and burned a total of 5,854 acres. No structures were lost, and no deaths were reported from the event.
Village of Ruidoso	6/8/2021 Ball Field Fire	The fire started 6/8/21 and was extinguished by 6/14/21. The fire was located off of Ski Run Road and Highway 48 above the ballfields. The cause was a chainsaw that caught fire during thinning work. This fire burned approximately 25 acres and led to mandatory evacuation for High Country Lodge and evacuation notices for: Upper Gavilan, West Gavilan, Alto Village, Alto Alps, and Sun Valley. Slash piles from previous thinning were part of the fuels burned during the fire and caused most of the damage to existing trees. Although this was not a crown fire, a small spot fire jumped Highway 48 but was immediately put out. There were no structures lost nor injuries reported. *
Village of Capitan	10/31/2021 Gap Road	This wildfire burned 2 acres of forested land before it was contained by the Capitan Fire Department. It was human caused. ‡
Lincoln County Village of Ruidoso	4/12/2022 McBride Fire	This fire was located in Gavilan Canyon within the Village of Ruidoso, which spread to State land and the Lincoln National Forest. The fire destroyed 207 primary structures as well as multiple outbuildings. There were two citizen fatalities. Strong winds and low humidity increased the severity of the fire. Approximately 6,159 acres have been burned, consisting mainly of timber, brush, and various grasses.

Location	Fire Start Date	Detailed Description
Lincoln County Village of Capitan	04/22/2022 Nogal Fire	This fire was located within Nogal Canyon, approximately 12 miles west of Capitan and 8 miles northwest of Ruidoso. The fire destroyed six primary structures and eight outbuildings. Primary fuels of the fire were ponderosa pine, piñon and juniper, and various grasses. Approximately 412 acres were burned. The fire was caused by downed power lines. The Capitan Fire Department assisted in response and the community would have had to evacuate if the fire moved farther down the canyon. ‡
City of Ruidoso Downs	5/1/2022 US70 approximately 2,500 feet northeast of Agua Fria Drive	The City Fire Department extinguished this grass fire that was less than 0.5 acre.
Village of Ruidoso	5/8/2022 El Paso Road Fire	The Village Fire Department extinguished this 0.1-acre brush fire.
Village of Capitan	6/15/2022 Bogle Road	This wildfire burned approximately 89 acres. It was caused by lightning. ‡
City of Ruidoso Downs	11/15/2022 US70 approximately 600 feet west of the Solid Waste Authority	The City Fire Department extinguished this human-caused, 2-acre grass fire.
Village of Capitan	12/02/2022 Laughing Horse Trail	This brush fire burned 2.5 acres before it was contained by the Capitan Fire Department. It was human caused. ‡
Village of Ruidoso	12/25/2022 US70 Fire	The Village Fire Department extinguished this 0.5-acre brush fire.

Source: NOAA (2023a)

\* = Village of Ruidoso Fire Chief and Forestry Director. † = New Mexico Fire Information; ‡ = Capitan Fire Chief

While reviewing the previous occurrences of fire events within Lincoln County between 2017 and 2023, there were no fires that occurred within the boundaries of the Town of Carrizozo and the Village of Corona. Although there are no previous wildfires identified in the NCEI for these jurisdictions, wildfire is always a possible threat with potential ignition stemming from natural events, such as lightning, as well as human ignition from vehicles and other unintentional sources.

A recent impactful wildfire event was the McBride Fire, which started on April 12, 2022, after very powerful straight-line winds had blown a tree into power lines, igniting the surrounding trees, and creating a crown fire that destroyed 6,159 acres, 207 structures, and claimed two lives. This fire cut off one of the main thoroughfares for the Village of Ruidoso, Ruidoso Downs, and other parts of Lincoln County. Overall, the fire disrupted power to most of the Village of Ruidoso and portions of the county, which led to the water supply being cut off, burning many structures, and threatening the Sierra Blanca Regional Airport. Multiple evacuations were authorized to protect the different communities within the fire's path. The fire continued on an unpredictable path and burned at a high intensity which resulted in the loss of two lives and a severely

burned landscape. The severity of this event can, in part, be attributed to climatic change, which fostered dry and dead forest conditions.

### 5.3.1.3 Location and Extent per Participating Jurisdiction

#### Lincoln County

The pattern, frequency, and intensity of a fire (or fire regime) within Lincoln County is largely dependent on forest type. Before human settlement, piñon-juniper woodlands and mixed conifer forests experienced infrequent high intensity stand replacing fires, while ponderosa pine forests experienced more frequent lower intensity fires. Fires have been suppressed for about 100 years, since communities in this area have had the capacity to do so. Human efforts combined with climactic conditions have altered fire regimes and fuel conditions. The county has recently experienced several large wildfires costing millions of dollars in property damage and suppression costs.

Fire intensity and size have been increasing due to the increase of fuels, tree density, large area of continuous fuels and a dry weather cycle. Wildfires have occurred in almost every vegetation type within the county, including grasslands, piñon-juniper forests, ponderosa pine forests, and mixed conifer forests. The most common ignition source is lightning. Unintentional human ignition from campfires, cars and machinery, and other interactions follows lightning for the most common ignitions source. The areas where these fires occur vary greatly from immediate vicinity to a city or residence to rural, undeveloped areas. Most wildfires have been suppressed while still small. But several have grown into large fires. Many of the historic fires have impacted or come very close to impacting communities and population centers within the county.

Figure 5-11 below lists the large wildfires (>1,000 acres) and the number of structures burned in that particular fire event, all within Lincoln County from 2000 to 2023. It is a compilation of data found at the Global Fire Monitoring Center (2000) and New Mexico Fire Information (Bureau of Indian Affairs [BIA] et al. 2023). The Donaldson fire from 2011 was the biggest fire, which was caused by lightning that burned within Lincoln County and consumed approximately 101,563 acres and one structure. The most recent wildfires, Nogal Canyon (west of Capitan) burning 412 acres, and McBride (near Ruidoso) burning 6,159 acres, both of which occurred in April 2022.

**Figure 5-11: Lincoln County Wildfires (>1,000 acres), 2000–2023**

Name of Fire	Fire Start Date	Size (acres)	Number of Structures Burned
Cree	May, 2000	6,500	3
Kokopelli	March, 2002	1,000	29
Lookout	May, 2004	5,280	5
Peppin	June 2004	64,000	12
Donaldson	June, 2011	101,563	1
White	April, 2011	10,341	12
Little Bear	June, 2012	44,330	250
246	April, 2018	3,360	16
Pine Lodge	June, 2019	15,045	3

Name of Fire	Fire Start Date	Size (acres)	Number of Structures Burned
Three Rivers	April, 2021	5,854	0
McBride	April, 2022	6,159	254

Sources: BIA (2023); GFMC (2000).

Figure 5-12 below displays the previous fire occurrences for Lincoln County from the years 1984 to 2023. Figure 5-13 below depicts the causes of fires in Lincoln County between the years 1992 and 2023. Based on the Previous Occurrence listing (see Figure 5-10) and the map below, 45 fires have occurred in unincorporated Lincoln County from 1984 to 2023. Figure 5-14 below depicts fire threat in Lincoln County. Unincorporated Lincoln County is anticipated to experience wildfire threat from low to high, as defined in Figure 5-9.

Figure 5-12: Wildfire Previous Occurrences (1984–2023)

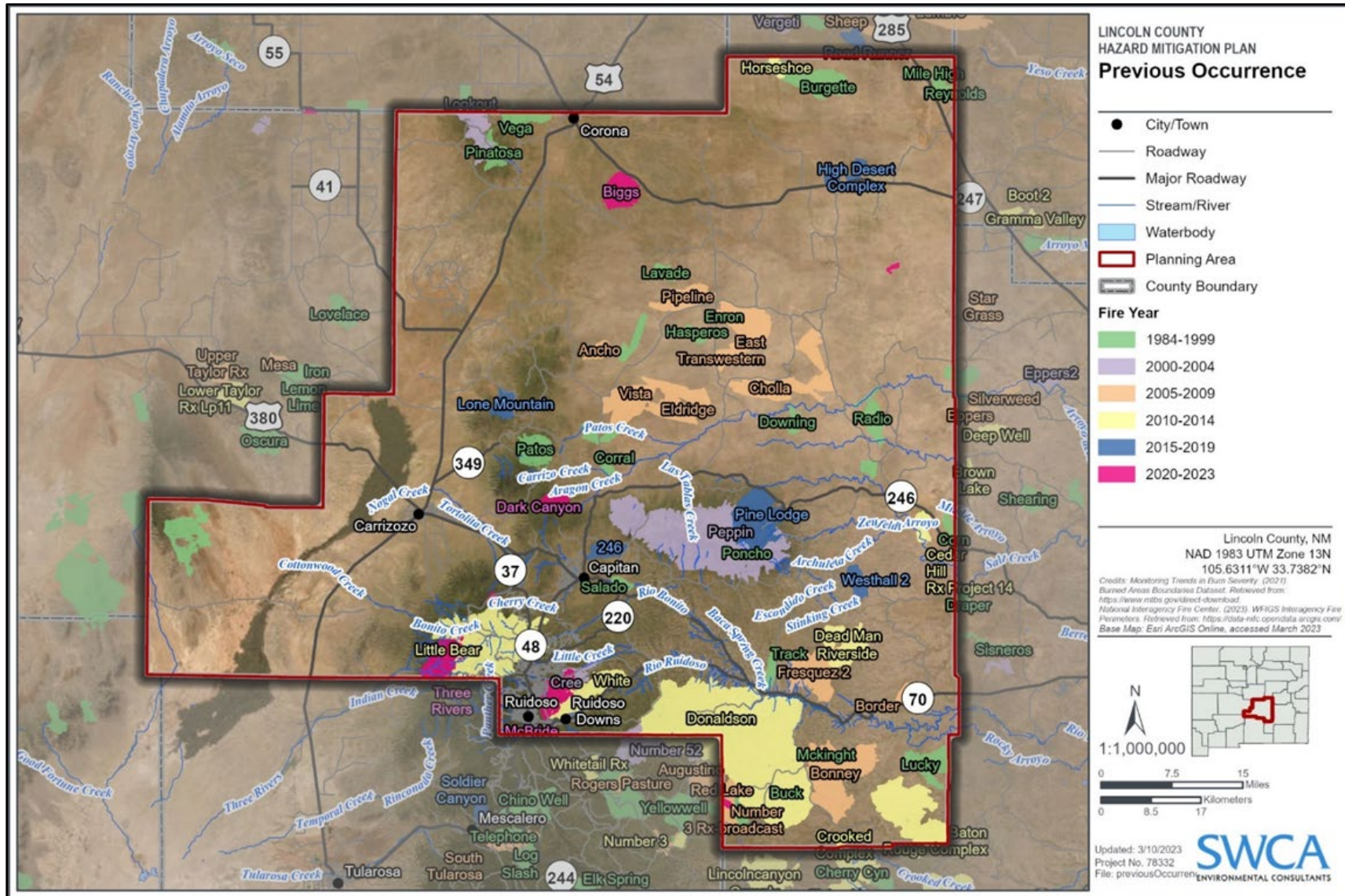


Figure 5-13: Lincoln County Fire Causes (1992–2023)

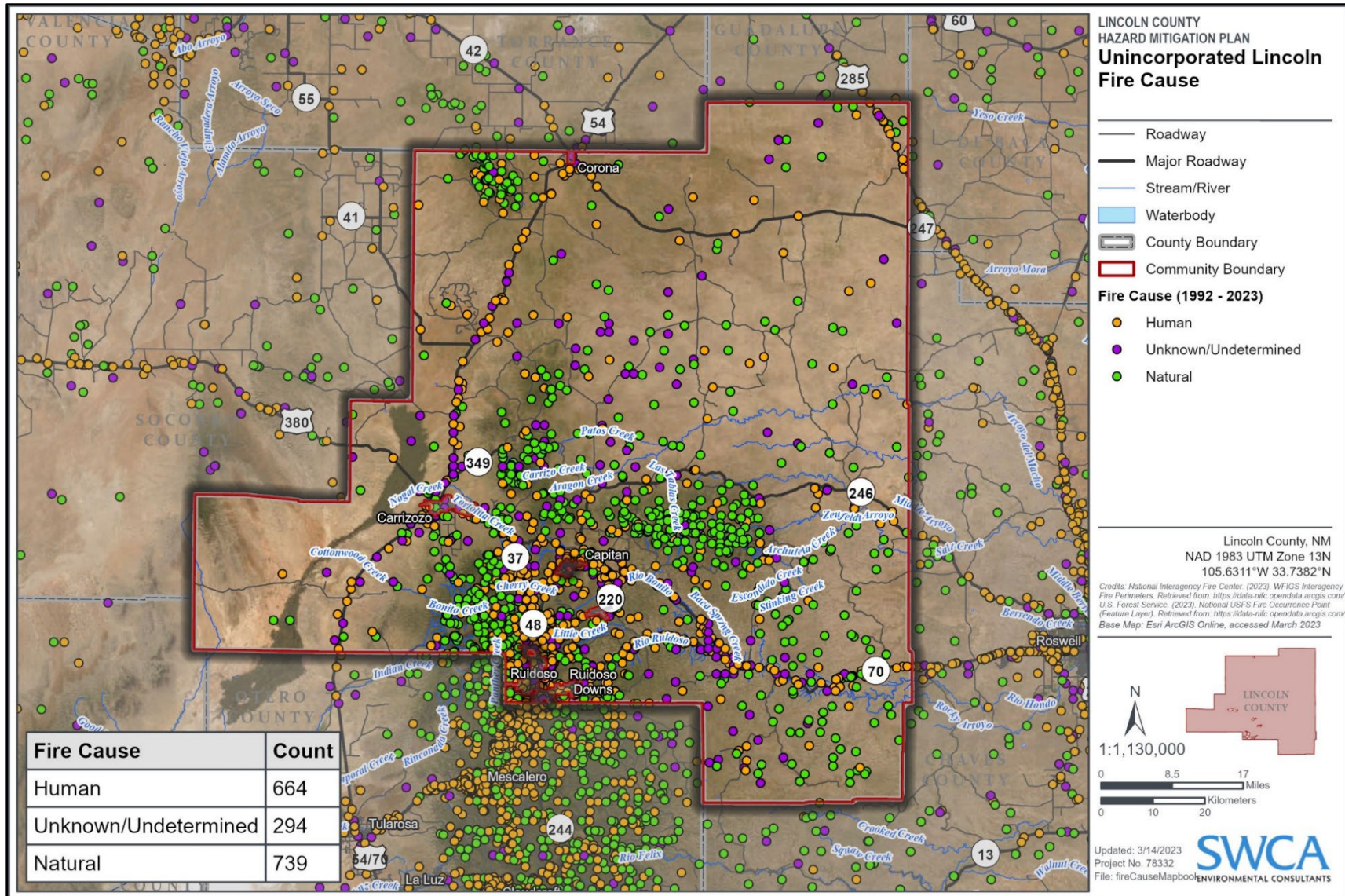
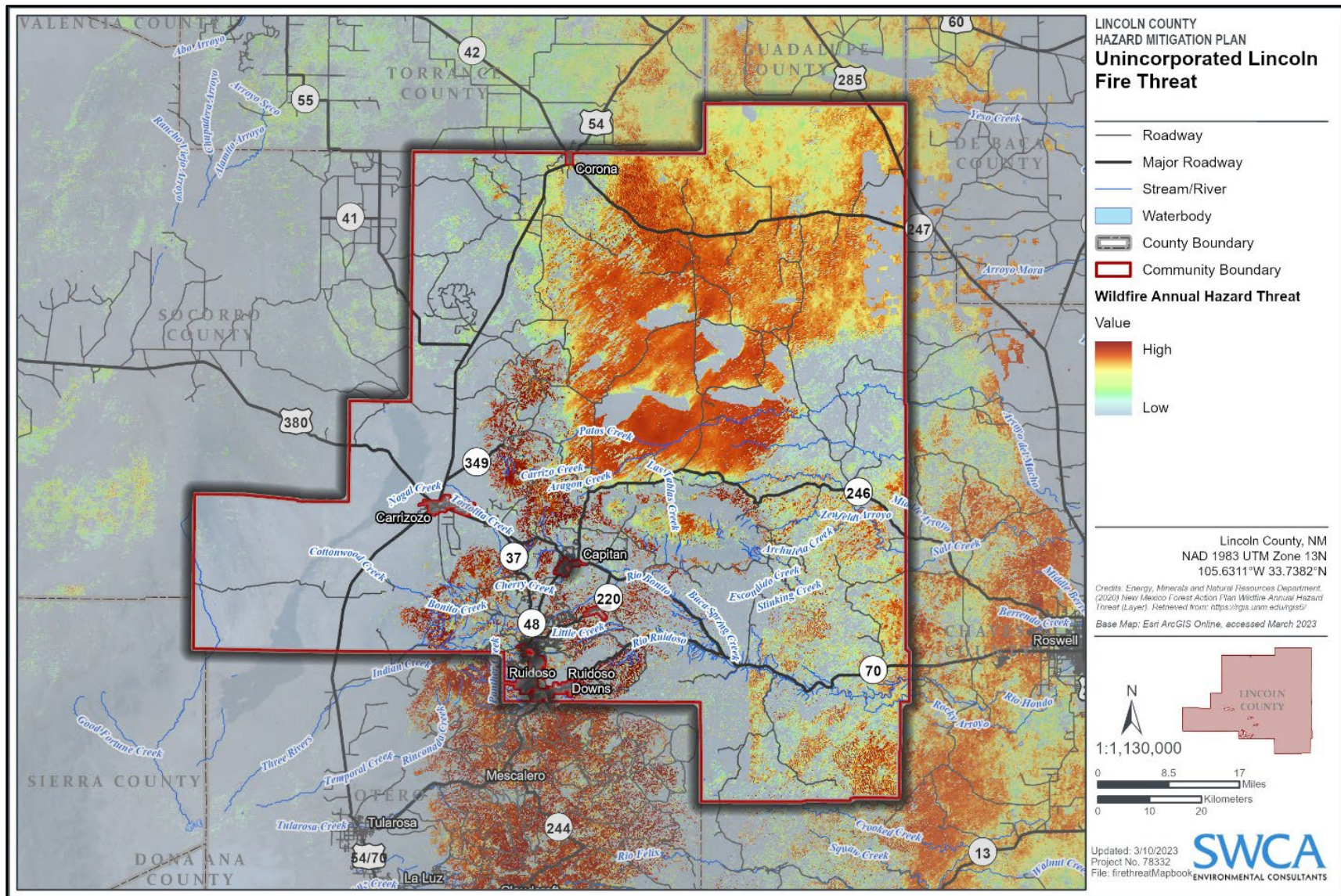


Figure 5-14: Lincoln County Fire Threat



### **Village of Ruidoso**

The majority of the Village of Ruidoso is dominated by piñon juniper forests, ponderosa pine forests, and mixed conifer forests. Commercial and residential buildings are mixed throughout the forested areas within the Village limits. The urban areas are very congested with dense stands of trees and buildings forming a dense WUI surrounding the Village of Ruidoso. Limited amounts of riparian forests exist along waterways. Beetle and insect damage are at epidemic proportions. This combination of insects, disease, drought, and fire caused stress are responsible for significant mortality in some stands/hillsides and is expected to continue. This mortality increases fire risk while dead trees hold needles and will contribute to increased fuel loading as dead trees fall to the forest floor. Treated areas (public and private land) have generally fared better than untreated land but are not immune to insects, disease, or drought. Current conditions around the Village of Ruidoso have improved largely due to thinning efforts, but much work remains to be completed. Vegetation on treated properties quickly grows back underscoring the need for continued maintenance.

The Village is susceptible to wildfire events due to fire fuels and urban congestion. Figure 5-15 displays the previous occurrences of wildfire for the Village of Ruidoso. Wildfires have not occurred in this area before 2010. But as recent as 2022, the McBride Fire burned just east of the Village of Ruidoso.

While utilizing the Wildland Fire Interagency Geospatial Services (WFIGS) Fire Perimeters, the fire causes were determined for the Village of Ruidoso. These are classified in Figure 5-16 below. There have been approximately 45 fire events; 27 classified as human causes, four classified as natural causes, and 14 were undetermined.

From Figure 5-17, it is visible that most high hazard threats occurred outside the boundary of the Village. Although, there have been pockets of moderate to high level threats occurring directly south and northwest of the Village. From the high-level threats, dead foliage and other dry vegetation are susceptible to ignition. If a fire were to occur, it would spread rapidly and be difficult to control. All fine dead fuels ignite readily, and fires start easily from most causes. The combination of a build-up of dry brush and unattended campfires contributes to fires that escape with the potential to spread rapidly and become destructive. The Village of Ruidoso is anticipated to experience wildfire threat from low to high, as defined in Figure 5-9.

Ruidoso became a Firewise community in 2003 and in June 2002, the Village of Ruidoso Council passed a mandatory fuels management ordinance to facilitate the creation of defensible space around homes, implementing the Village of Ruidoso Fuels Management Program (see Appendix D). Approximately 13,000 acres within the Village of Ruidoso will be treated to a ground fire standard, which is designed to keep a fire on the ground and reduce the risk of a wildfire spreading into the trees. However, due to the forest density, steep terrain, and the close proximity of buildings, any fire that gets into the Village will be catastrophic. Fire behavior will be unpredictable based on winds at the time, may achieve a crown fire, and would then move very fast through the Village.

The Village of Ruidoso owns and operates the Sierra Blanca Regional Airport located north on Highway 220 (Airport Road). The airport has a current acreage of 1,665 acres that includes two runways and two hangar ports. There have not been recent fire events at the airport. Figure 5-18 displays the previous fire occurrences for the Sierra Blanca Regional Airport.

Figure 5-15: Village of Ruidoso Previous Fire Occurrences (2000–2023)

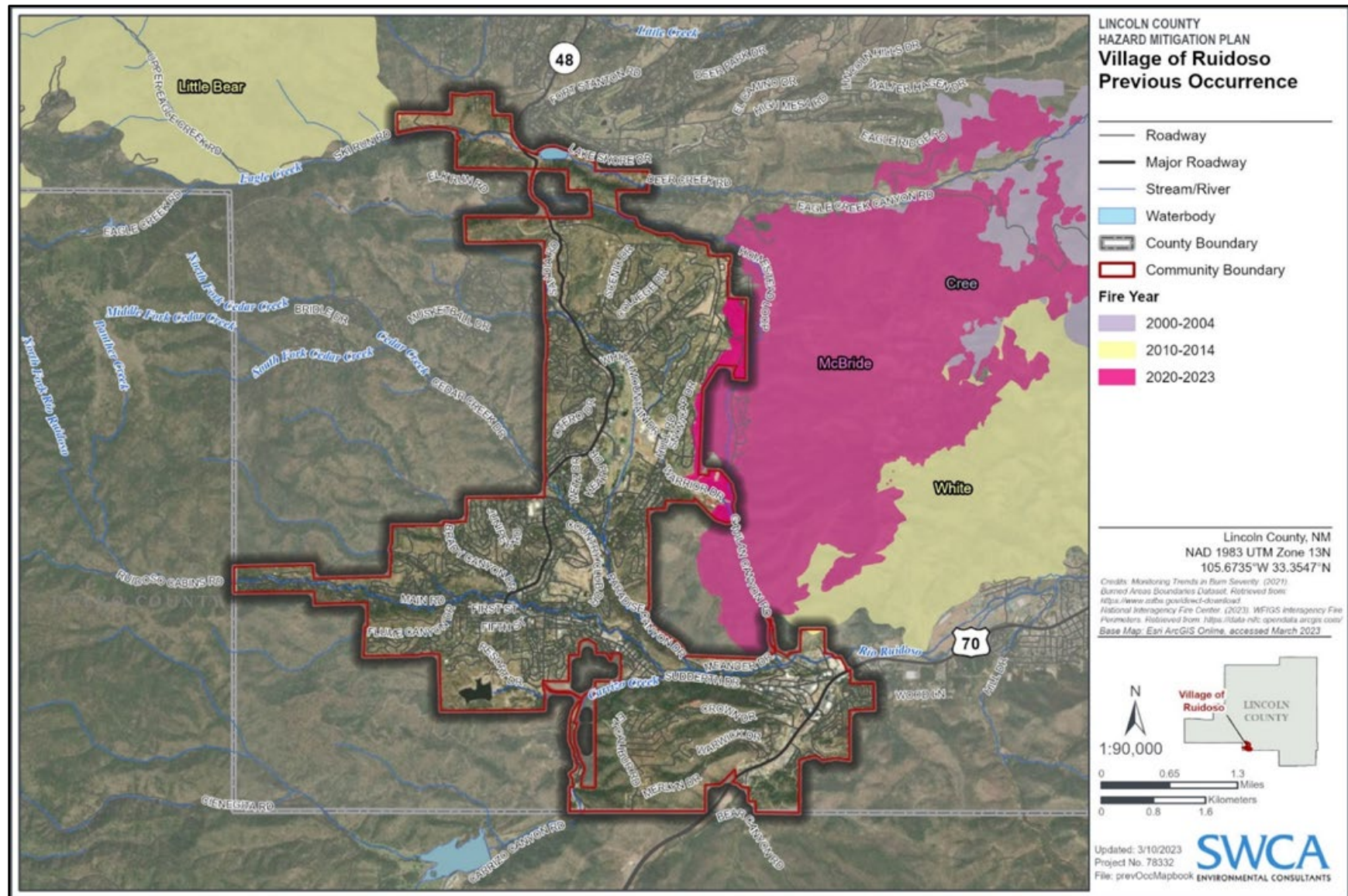


Figure 5-16: Village of Ruidoso Fire Causes (1992–2023)

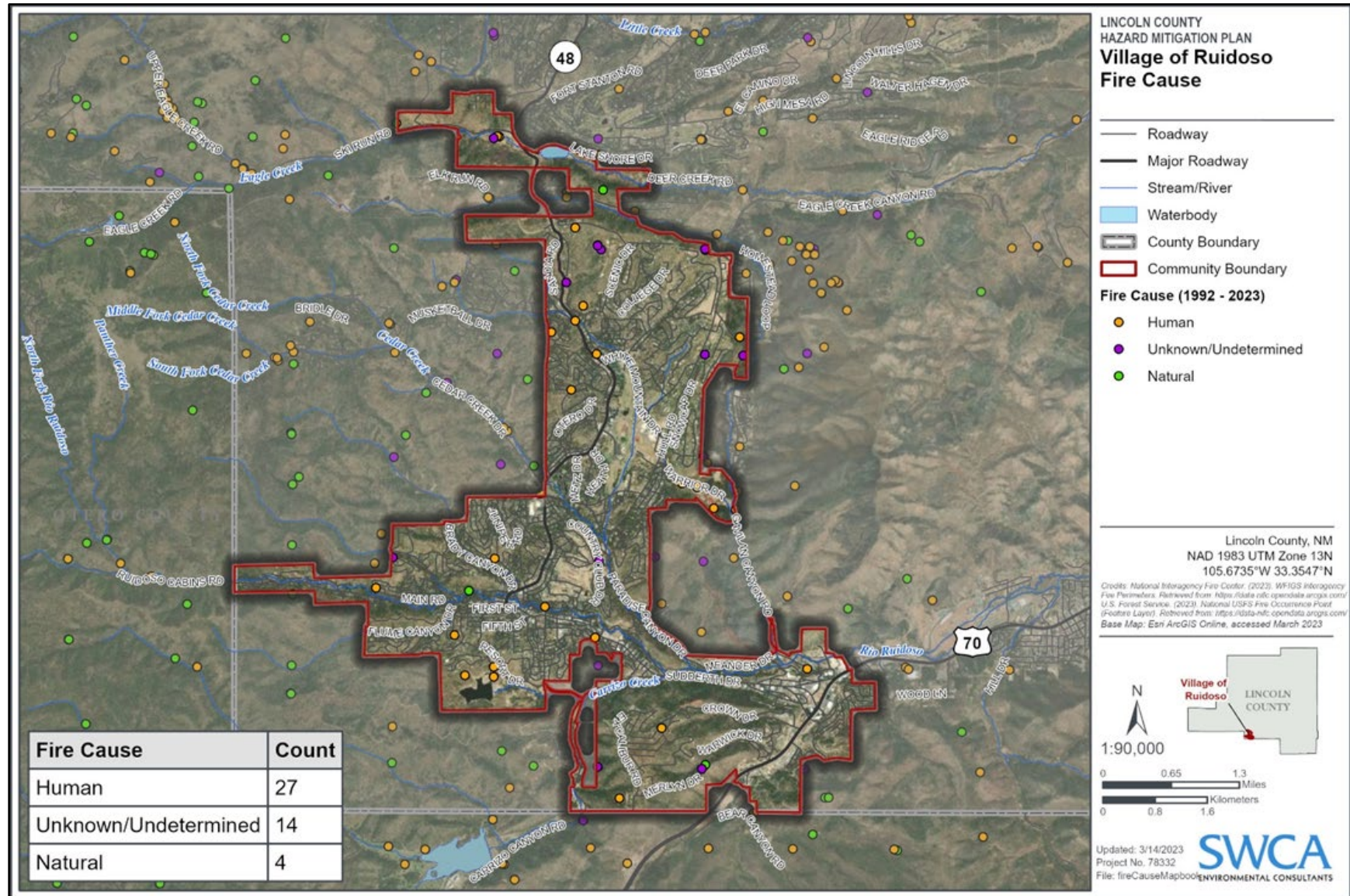


Figure 5-17: Village of Ruidoso Fire Threat

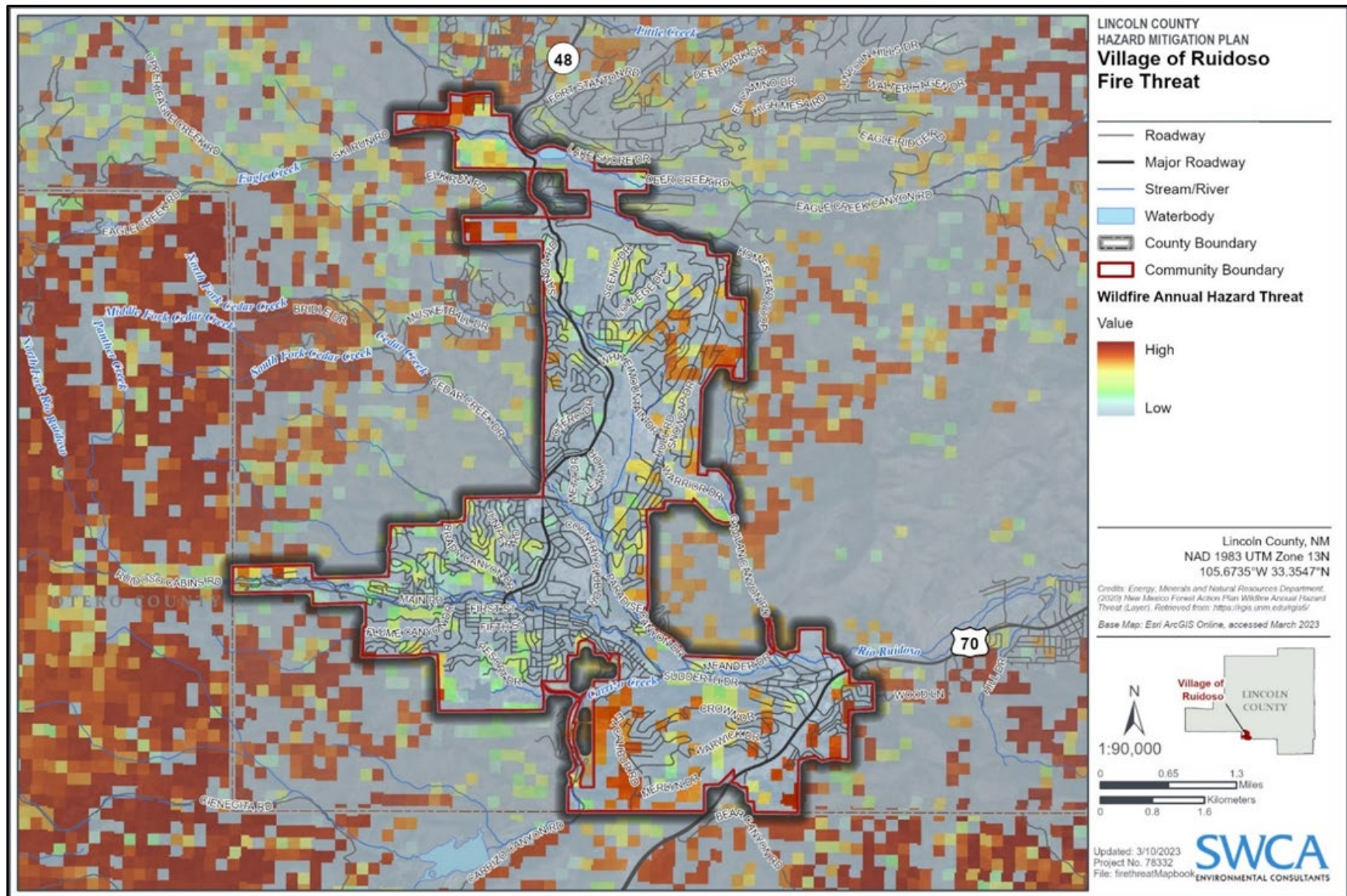
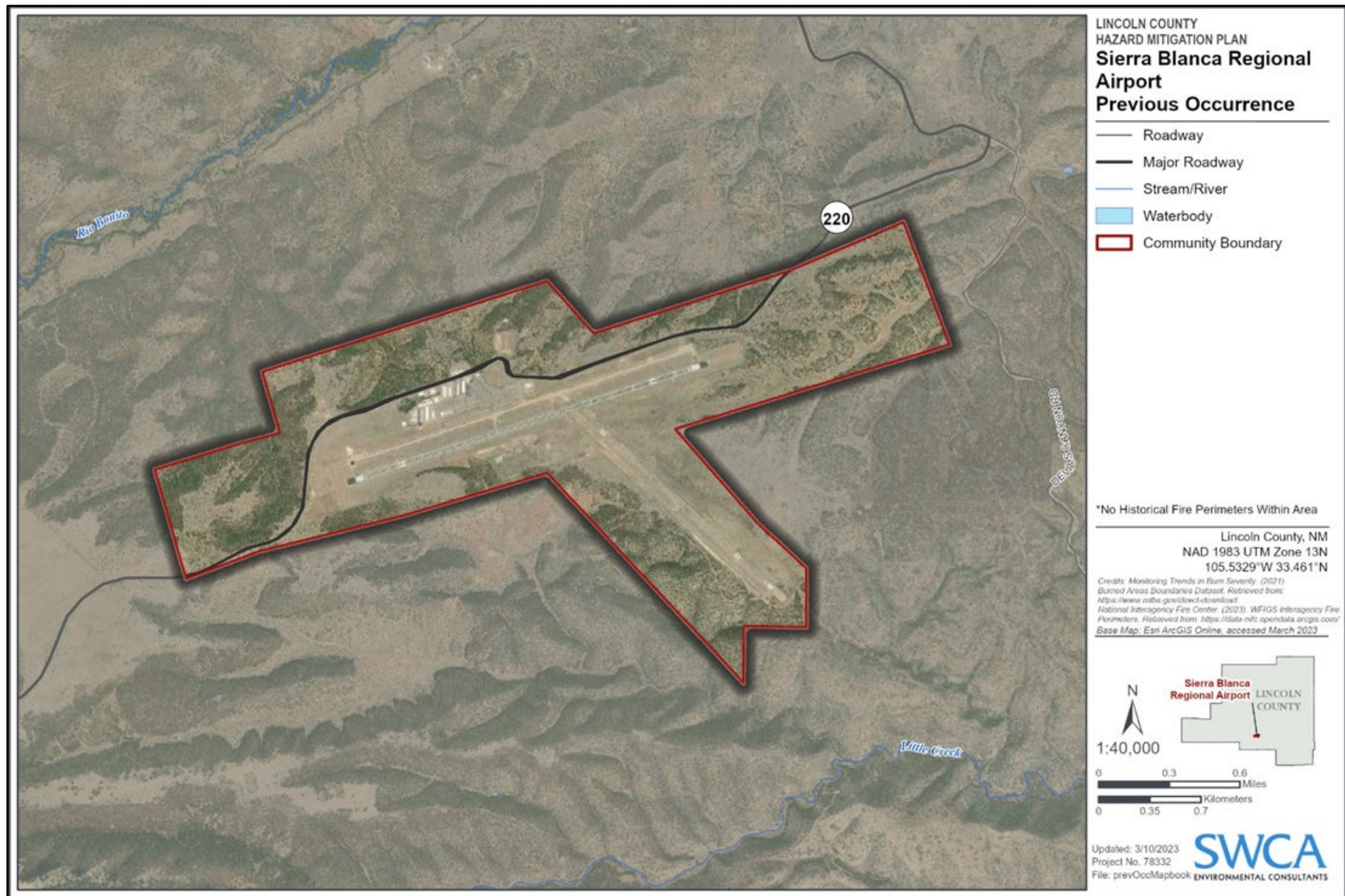


Figure 5-18: Sierra Blanca Regional Airport Previous Fire Occurrences (2000–2023)



Utilizing the WFIGS Interagency Fire Perimeters, the fire causes determined for Sierra Blanca Regional Airport are displayed in Figure 5-19 below. There were two fire events (from 1992 – 2023); both classified as human caused.

Figure 5-20 displays the fire threat for the Sierra Blanca Regional Airport. The highest hazard threats occurred in the western portion of the jurisdiction. There are areas of low to moderate hazard threats in the central, eastern, and southern portions of the jurisdiction. There is little to no vegetation present within the jurisdiction. Although, the perimeter of the airport boundary is filled with various shrub vegetation that may be susceptible to ignition.

Figure 5-19: Sierra Blanca Regional Airport Fire Causes (1992–2023)

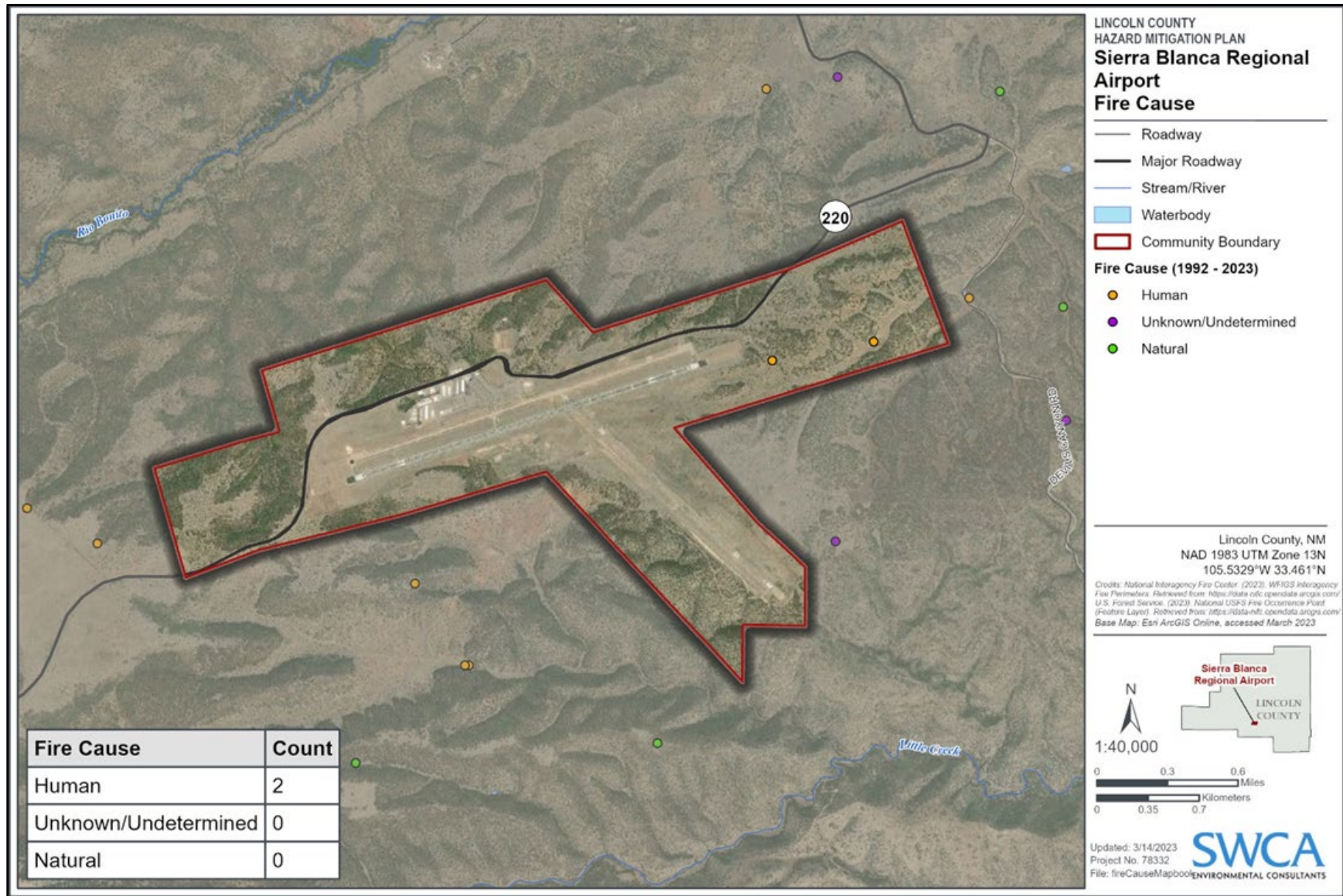
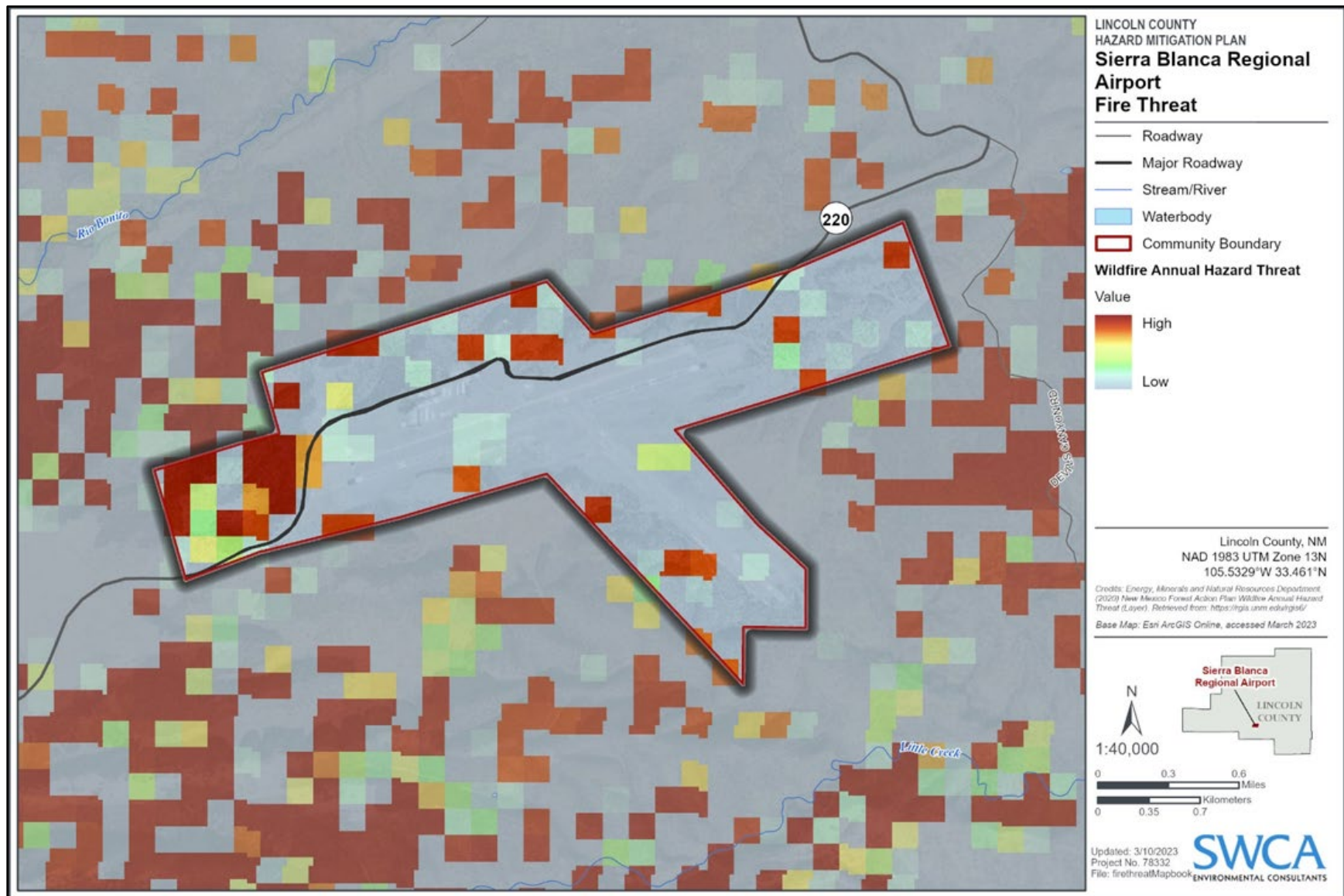


Figure 5-20: Sierra Blanca Regional Airport Fire Threat



### **City of Ruidoso Downs**

Ruidoso Downs is dominated by piñon-juniper and ponderosa pine forests. Commercial and residential buildings are mixed throughout the forested areas within the city limits. The Rio Ruidoso flows from the west city limit to the east city limit. Some riparian forests exist along the river. Ruidoso Downs landscape is from the river valley to steep canyons and ridges on the south around Turkey Canyon. The WUI on the south and east sides of the city are also dominated by piñon juniper and ponderosa forests. The Mescalero Apache reservation and USFS lands border the city on the south. The Mescalero Tribe and the USFS have completed fuels reduction projects reducing fire risk from the WUI.

Similar to the Village of Ruidoso, the City of Ruidoso Downs has congested urban areas that are surrounded by forest, which also acts as fire fuel. Figure 5-21 below displays the previous fire occurrences for the City of Ruidoso Downs.

While utilizing the WFIGS Interagency Fire Perimeters, the fire causes were determined for the City of Ruidoso Downs. These are shown in Figure 5-22 below. There have been approximately six fire events: three classified as human causes, two classified as natural causes, and one undetermined.

Based on the descriptions from Figure 5-9, the fire threat levels for the City of Ruidoso Downs are depicted in Figure 5-23. The areas that are of high fire hazard threat are south of US70. There are other areas west of the boundary that exhibit moderate to high fire hazard threat. The higher threats caused by the collection of forest or fuels within the city limits south of US70, could cause a higher fire threat to the area when compared to the land parcels north of US70. The City of Ruidoso Downs is anticipated to experience wildfire threat from low to high, as defined in Figure 5-9.

Ruidoso Downs has not yet achieved Firewise status but continues to work on the certification. Due to the steep terrain on the south border of the city and the proximity of buildings to forested areas, any fire that gets into the city will cause significant damage to structures and infrastructure.

Figure 5-21: City of Ruidoso Downs Previous Fire Occurrences (2000–2023)

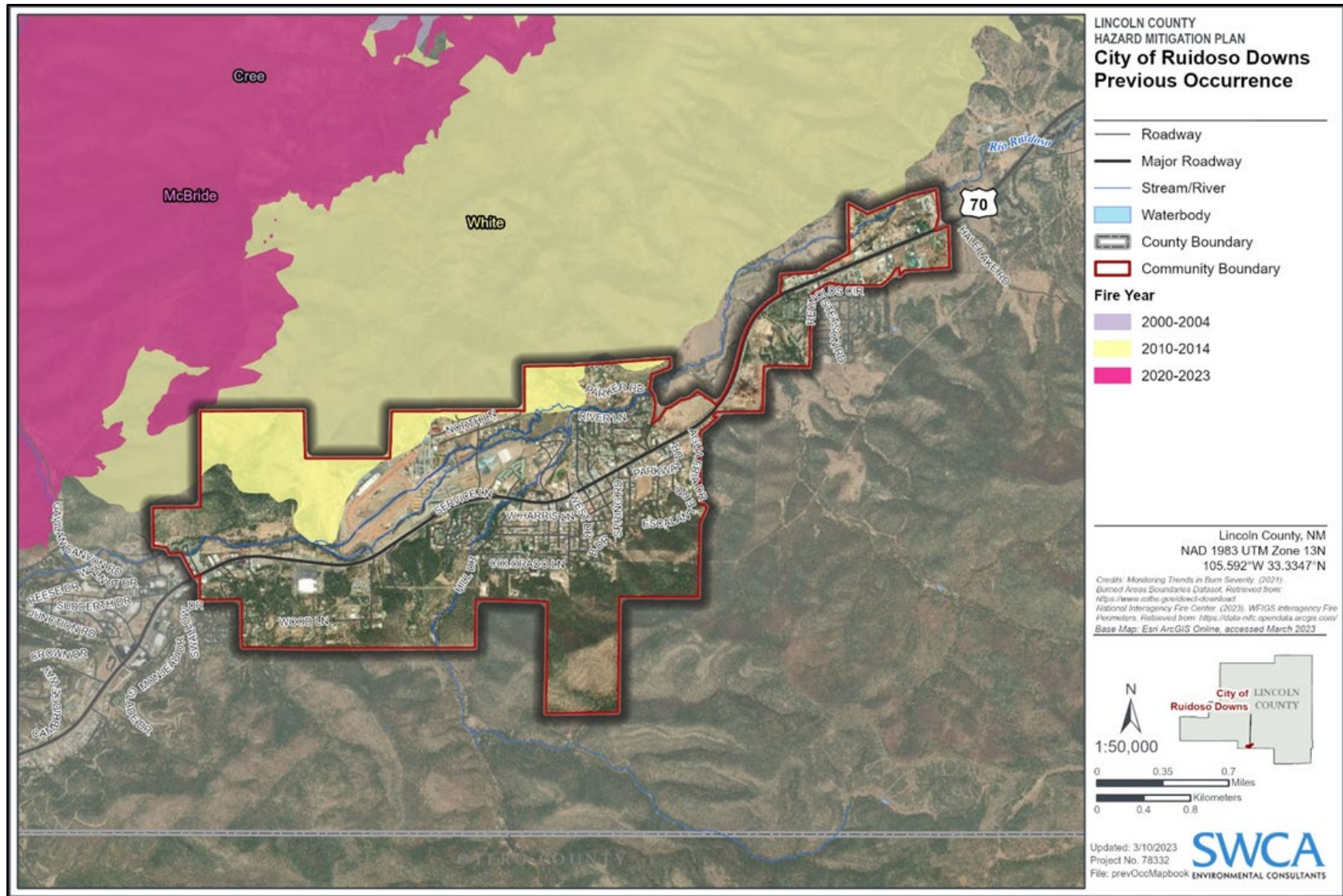


Figure 5-22: City of Ruidoso Downs Fire Causes (1992–2023)

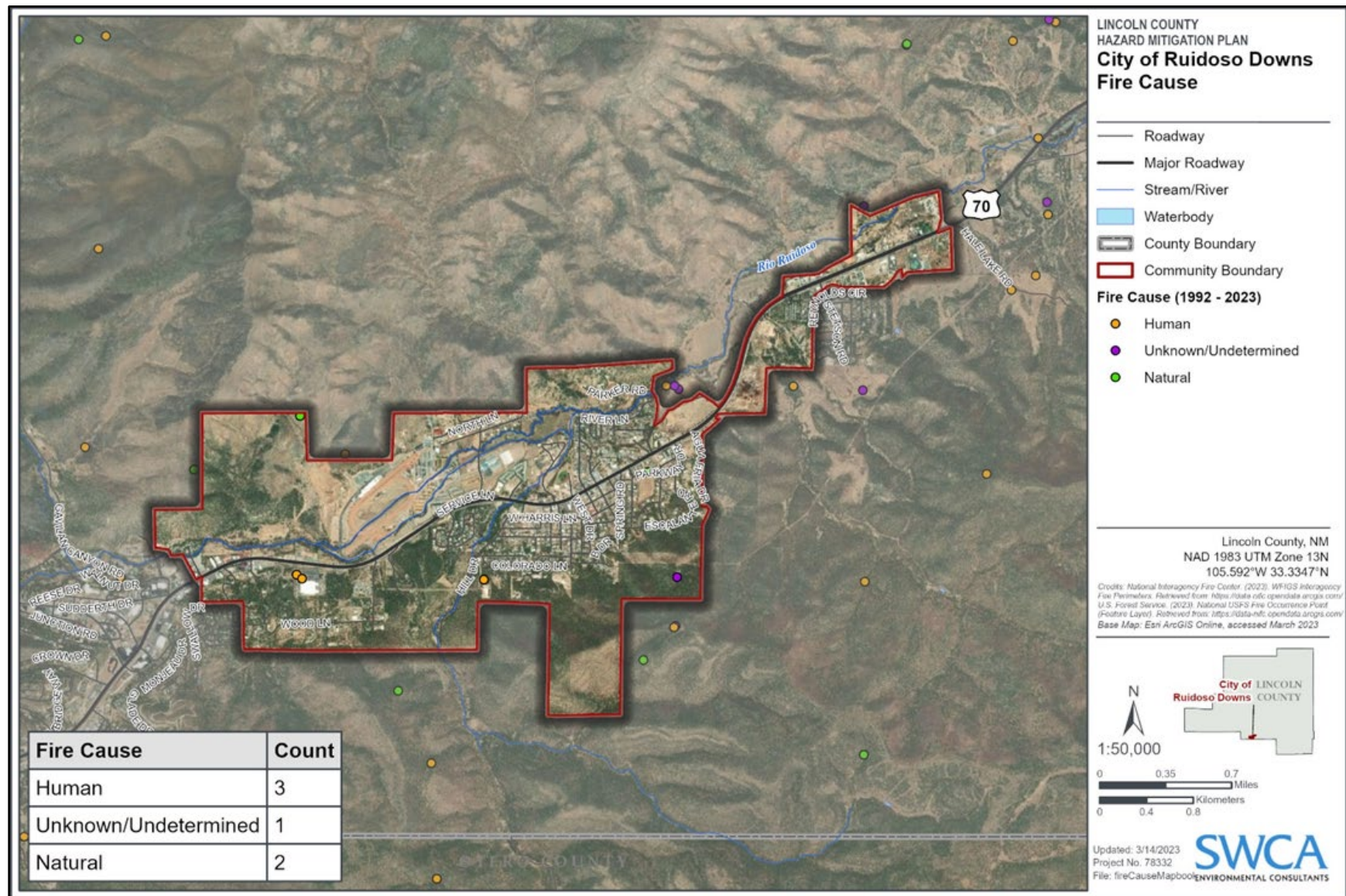
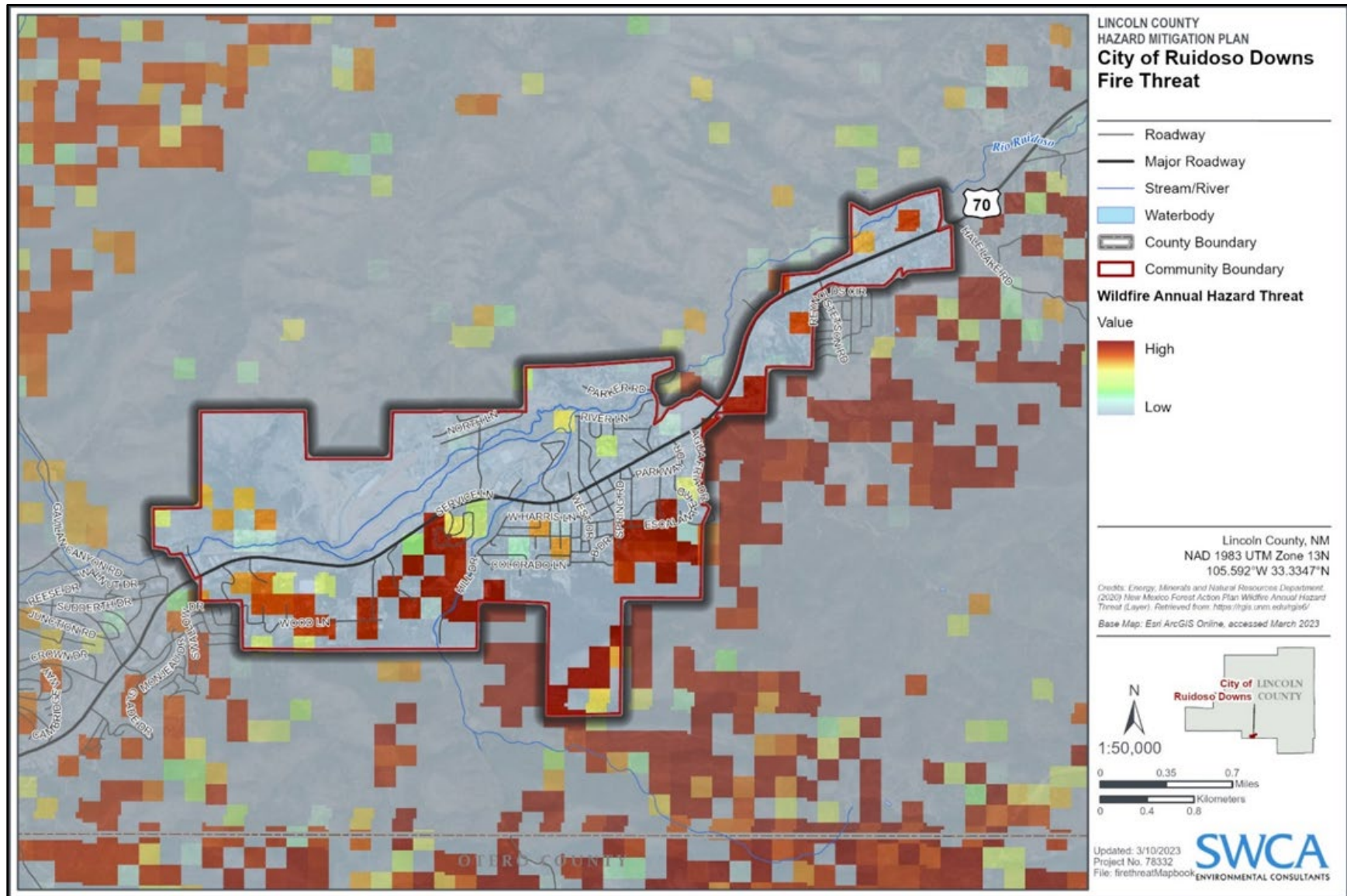


Figure 5-23: City of Ruidoso Downs Fire Threat



**Town of Carrizozo**

Carrizozo is located on the northern end of Tularosa Valley where the landscape transitions from desert to prairie grassland. Carrizozo is surrounded by the Sacramento Mountains to the east, the Oscura Mountains and the Valley of Fire's lava flow to the west, the Chihuahuan desert to the south and the central highlands to the north. The landscape directly around the Town is prairie grassland. The mountains and highlands are covered with piñon juniper, ponderosa and mixed conifer forests.

Information from the WFIGS Interagency Fire Perimeters was used to determine fire events for the Town of Carrizozo. Figure 5-24 identifies six fire events that occurred in this jurisdiction between 1992 and 2023: two natural, two human-caused, and two undetermined.

From Figure 5-25, it can be determined that the Town of Carrizozo has little to minimal fire threat. The only fire threat that is present occurs south of the town's boundary with a low fire threat. The low fire threat indicates that fuels in the area do not ignite easily. Although storms in the area that cause lightning are the main sources of fires being created. The Town of Carrizozo is anticipated to experience low wildfire threat, as defined in Figure 5-9.

US54 and US380 intersect in Carrizozo as well as the Union Pacific railroad. Frequent wildfires are caused by the sparks from the railroad. Local firefighters are always on the lookout for fires along the railroad however, there are times when these fires become wind driven events that threaten the Town. The Valle del Sol subdivision to the east of town is a sparsely populated area where the railroad has ignited grass fires that threaten residences and drinking water wells and water storage tanks as well as other critical facilities. The town does not have adequate firefighting infrastructure fire hydrants, water capacity or adequate water lines to supply the water necessary to protect the Town from wildfire.

Figure 5-24: Town of Carrizozo Fire Causes (1992–2023)

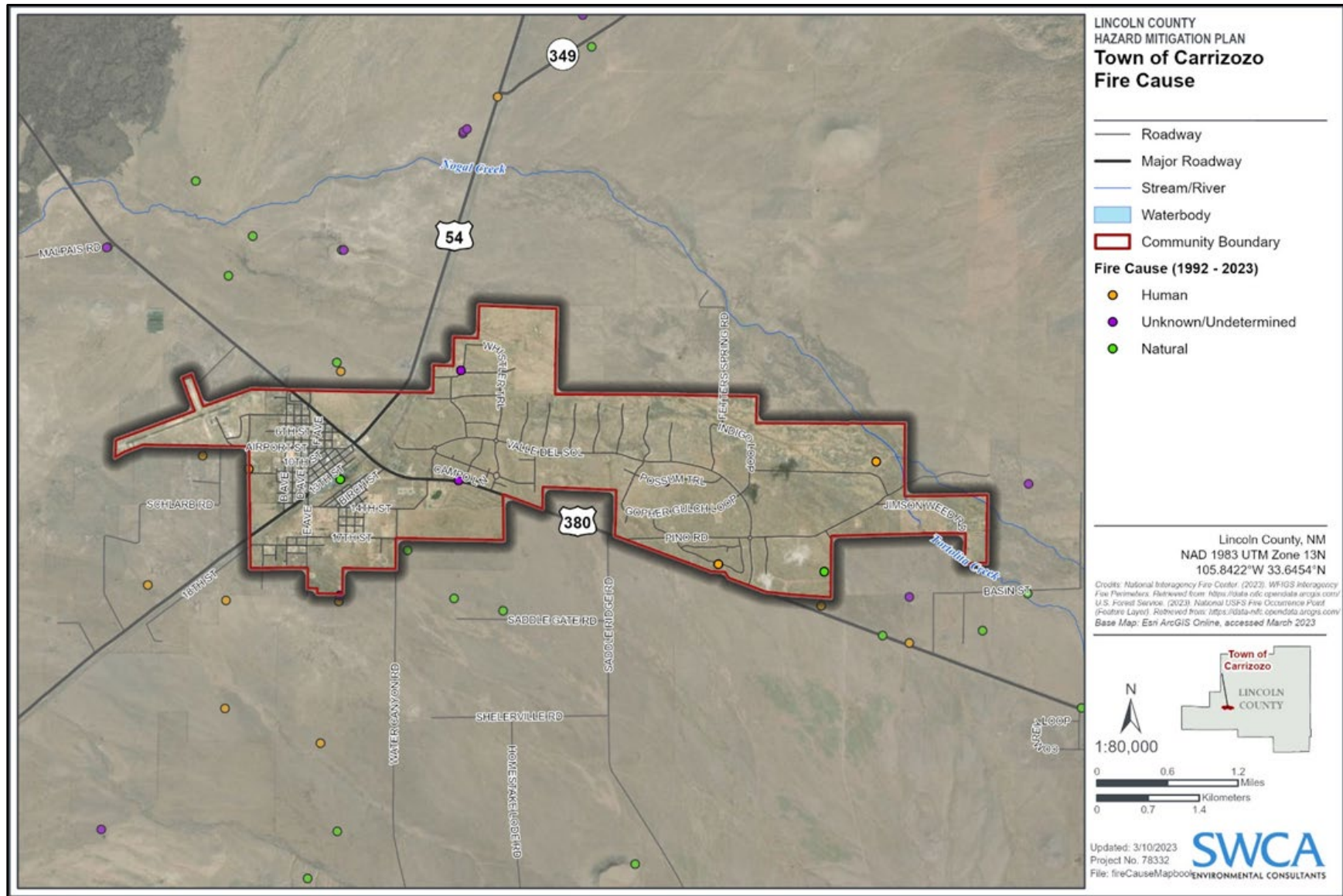
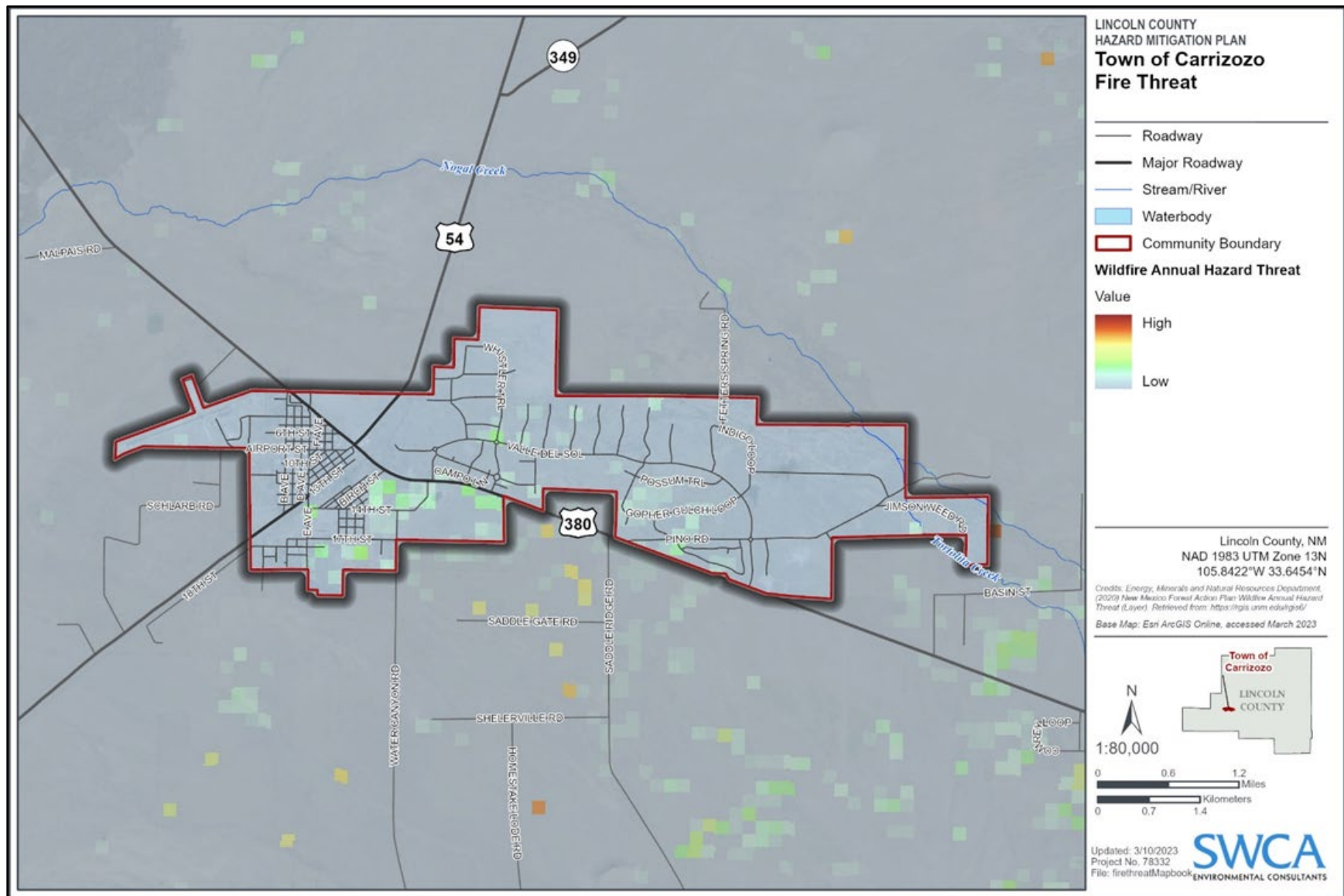


Figure 5-25: Town of Carrizozo Fire Threat



**Village of Capitan**

The Village of Capitan is located in the Lincoln County Central Highlands in the valley floor between the Sacramento Mountains and the Capitan Mountains. The Magado Creek and the Salado creek intersect on the eastern edge of Capitan. US380, New Mexico (NM) 48 and NM 246 also intersect in Capitan. The landscape surrounding the Village as well as throughout the subdivision is piñon juniper.

Utilizing the WFIGS Interagency Fire Perimeters, the fire causes determined for the Village of Capitan are shown in Figure 5-26 below. There were approximately 13 fire cause events (from 1992 – 2023): six human-caused and seven undetermined.

In Figure 5-27, there are only a few portions of the Village of Capitan that are considered moderate to high fire threats. This area is located in the central part of the Village and is an area where a fire could start from an accidental cause. But from this accidental cause, it could also be catastrophic as well, meaning the fire would ignite any dead fuels easily and spread just as quickly. The Village of Capitan is anticipated to experience wildfire threat from low to high, as defined in Figure 5-9.

Power outages occur at times during wildfire events in the area. All electrical power is carried on overhead lines therefore making them susceptible to fire. The Otero County Electric Coop is very good at keeping debris, brush, and trees away from their power lines.

Figure 5-26: Village of Capitan Fire Causes (1992–2023)

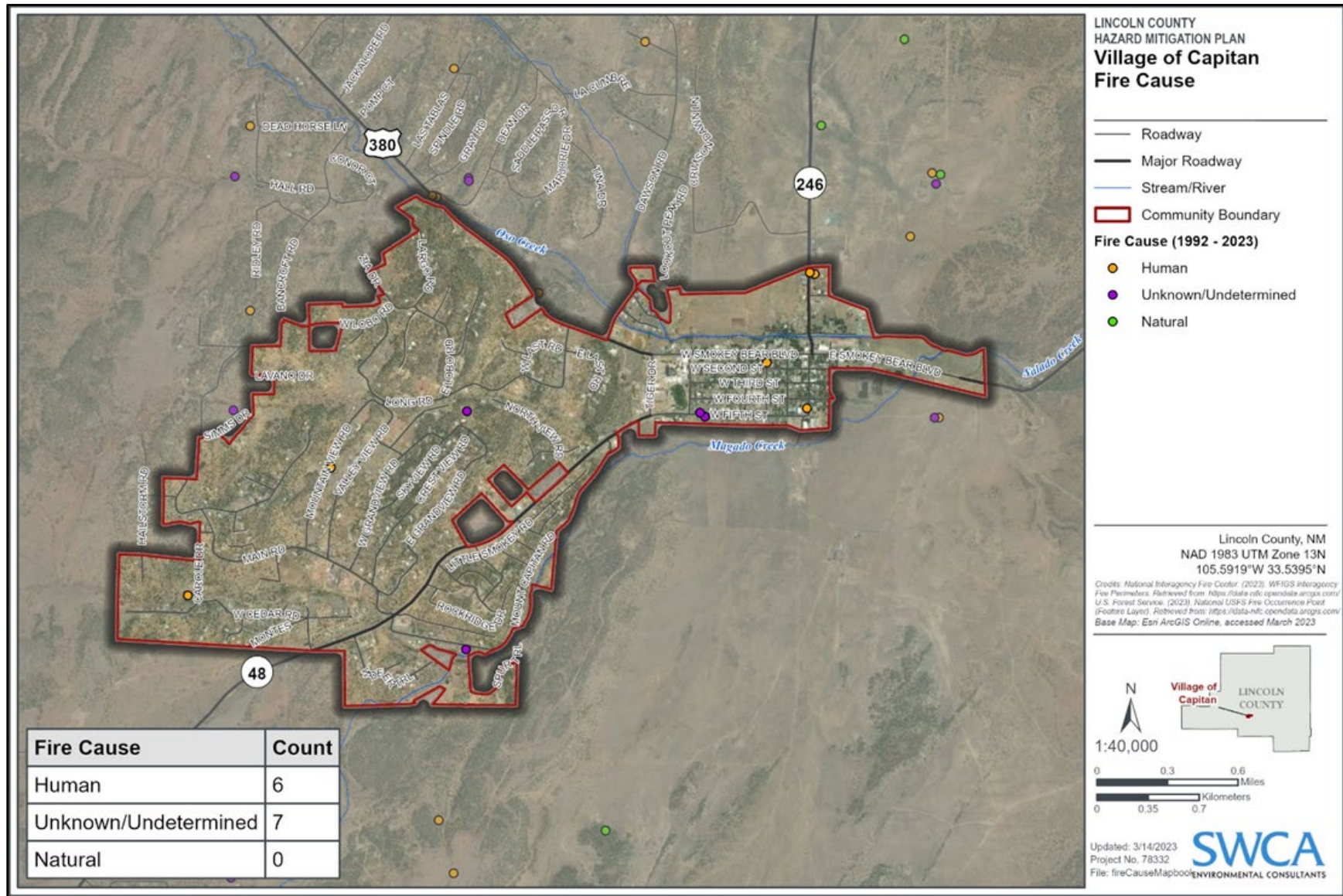
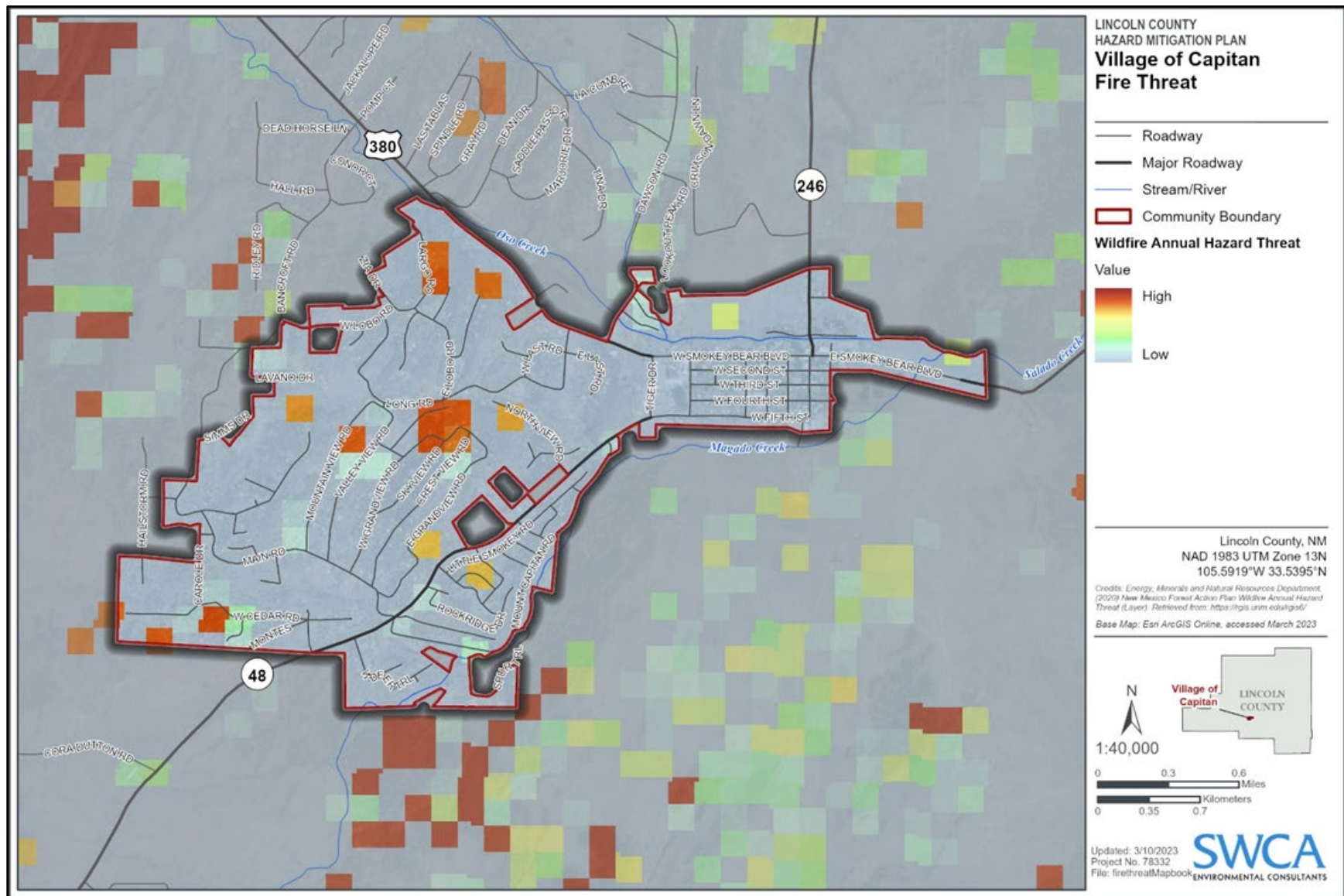


Figure 5-27: Village of Capitan Fire Threat



### **Village of Corona**

The Village of Corona is located on the northern end of the border of Lincoln County. US54, NM 42, and NM 247 intersect in Corona. The landscape within Corona is rolling hills covered with piñon juniper forest. The WUI surrounding the Village is also rolling hills covered with piñon juniper. Ranches surround Corona and most ranchers have spent time reducing fuels and therefore reducing the possibility of a catastrophic wildfire. However, the western border of the Village needs additional thinning to reduce wildfire potential. Wildfire behavior potentially could reach the crowns however due to the previous fuel reduction work, fire will most likely stay on the ground.

Utilizing the WFIGS Interagency Fire Perimeters, the fire causes determined for the Village of Corona are shown in Figure 5-28 below. There was one recorded fire event for which the cause was undetermined. The event occurred on the east side of the intersection of NM State Road 42 and US54.

From Figure 5-29, the Village of Corona has experienced low to moderate amounts of fire threats. Fuels from the low and moderate levels do not ignite easily. The ignition for the fire would likely be started from lightning or other unpredictable sources, based on the previous map in Figure 5-28. Fires in this area are not easily spread and are less difficult to control, when executed with reasonable safety. The Village of Corona is anticipated to experience wildfire threat from low to high, as defined in Figure 5-9. Power outages occur at times during wildfire events in the area. All electrical power is carried on overhead lines therefore making them susceptible to fire. The Central New Mexico Electric Cooperative has been successful at keeping debris, brush, and trees away from their power lines. The Village is small and has limited resources as far as money and employees. Adequate fire hydrants are lacking in order to protect the Village and its residents from wildfire.

Figure 5-28: Village of Corona Fire Causes (1992–2023)

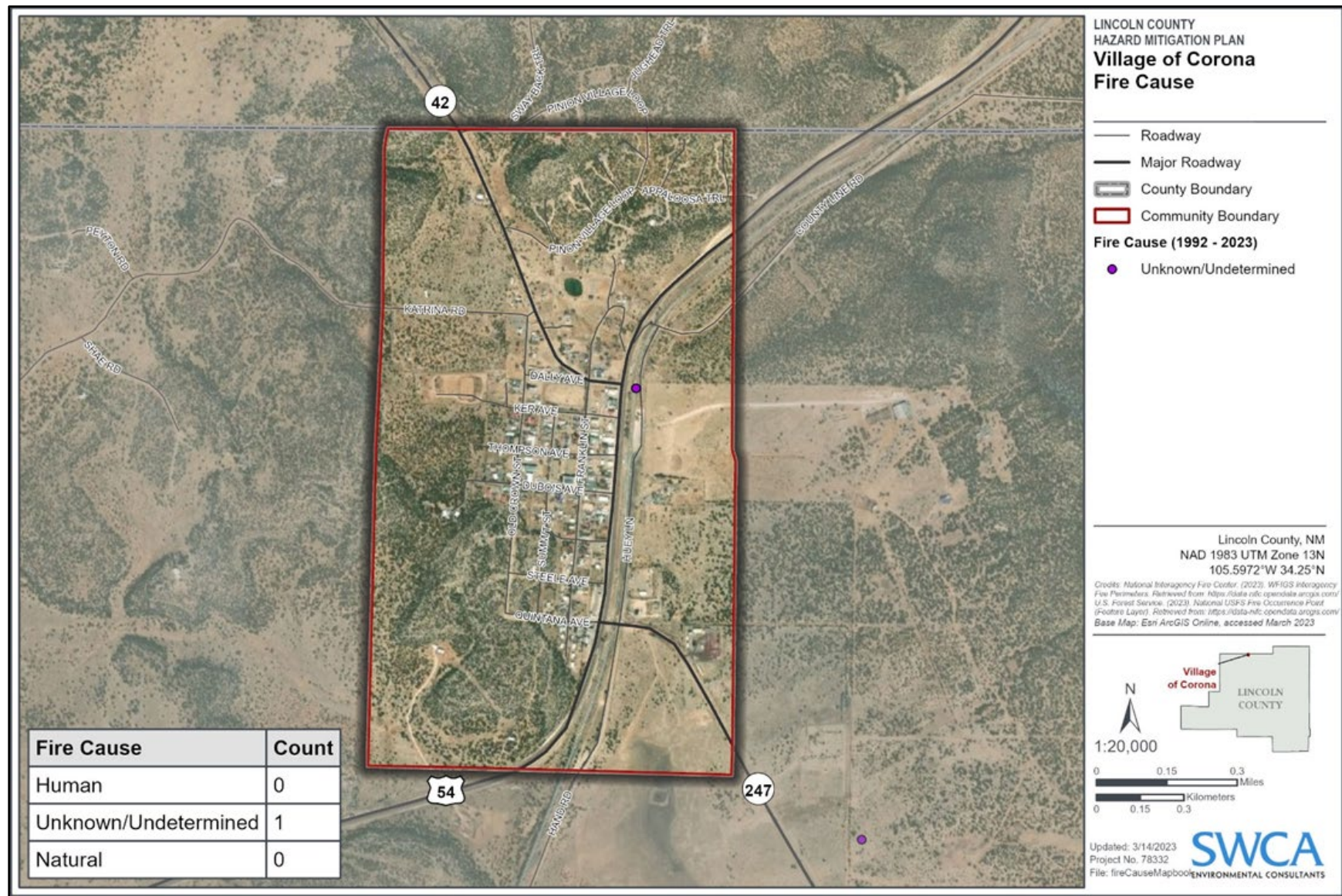


Figure 5-29: Village of Corona Fire Threat



Fire protection support is provided by three fire stations within the Village of Ruidoso. Figure 5-30 shows Station 1 located on 541 Sudderth Drive, Ruidoso, New Mexico.

**Figure 5-30: Village of Ruidoso Fire Department, Station 1**



Source: Village of Ruidoso website (2023).

Figure 5-31 displays a photo of the McBride Fire from 2022. This fire burned approximately 6,159 acres near the Village of Ruidoso.

**Figure 5-31: McBride Fire (2022) near Village of Ruidoso**



Source: CNN (April 2022).

Figure 5-32 displays the White Fire, which is the biggest that occurred within Lincoln County at over 10,000 acres near Ruidoso Downs.

**Figure 5-32: The White Fire (2011) near Ruidoso Downs**



Source: Southwest Fire Science Consortium. 2011.

#### 5.3.1.4 Probability of Occurrence

When calculating wildfire probability, the Planning Team agreed to use the Priority Risk Index (PRI), explained further in Figure 5-110. Probability in Figure 5-33 below is calculated from the following criteria:

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for wildfire, there was 39 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. By comparing the annual probability from the past six years with that of all

records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. For example, the analysis revealed that there was an increase in annual probability for Ruidoso, Ruidoso Downs, and Capitan when reviewing the past six years of data in comparison to the past 39 years of data. It is understood that record keeping has improved over the years and that Annual Probability over time as presented here may not be an accurate accounting.

**Figure 5-33: Wildfire Probability of Occurrence**

Jurisdiction	Wildfire Probability Based on Previous Occurrence				
	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 1984-2022	Annual Probability 1984-2023
Lincoln County	5	Highly Likely	83.3%	45	100% (115.4%)
Village of Ruidoso	12	Highly Likely	100% (200%)	15	38%
City of Ruidoso Downs	6	Highly Likely	100%	7	18%
Town of Carrizozo	0	Unlikely	0%	0	0%
Village of Capitan	5	Highly Likely	83.3%	9	23%
Village of Corona	0	Unlikely	0%	0	0%

#### 5.3.1.5 Climate Change Impacts

The NCA report (Garfin et al. 2014) projects wildfire risk and incidents in the Southwest region will likely be increased due to climate change. This is stated as one of the NCA’s “key messages” due to increased temperatures, reduced precipitation, and more severe periods of drought. This assessment will require additional efforts focused on vegetation management and consideration for participating jurisdictions to implement climate change impacts into their CWPP.

The increased frequency and severity of wildfires resulting from severe periods of drought have long-lasting implications that reduce the capacity of the land to heal. After a wildfire has burned its way through an area, soil properties become deeply affected. The removal of organic matter within the soil causes the land to become easily erodible. With the soil depleted of organic matter, its slick properties and reduced capacity to retain moisture result in more precipitation running off rather than being absorbed by the landscape. Accordingly, storm events easily transition into flood events.

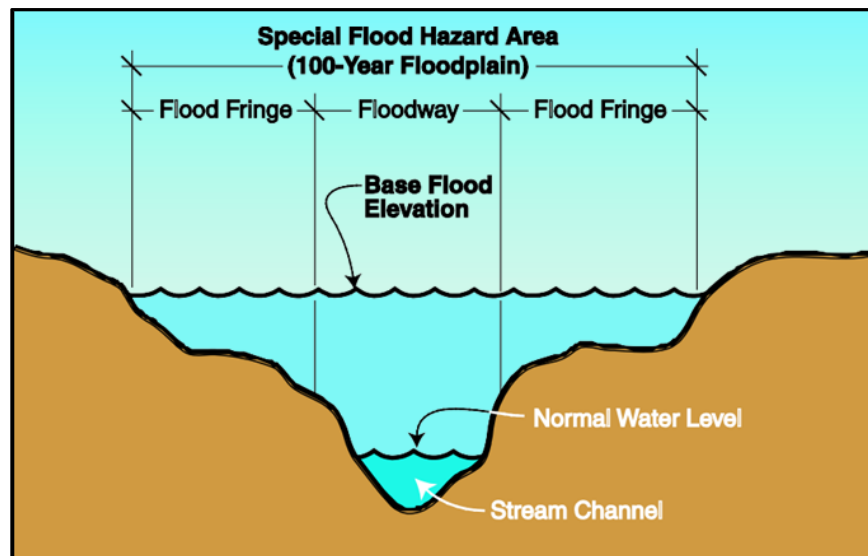
A comparison between the current assessment period and all recorded events shows a slight increase in the number of years with wildfire events for the unincorporated county, Ruidoso, and Ruidoso Downs. This increase may be related to climate change–related impacts to natural systems. Primarily, decreasing forest health related to persistent drought and earlier runoff has increased fuels, which increases the likelihood of ignition and high-intensity wildfire events. It is anticipated that climate change will contribute to increases in average annual temperatures and extended periods of drought, which fuels increases in wildfire events.

### 5.3.2 Flood

#### 5.3.2.1 Description

Flooding occurs when a river, stream, lake, or other body of water overflows its banks onto normally dry land or there is an excessive pooling of surface water. Floods can amount to be some of the most frequently occurring, costly disasters experienced. They can be caused by a number of different weather events and can cause property damage including structural and landscape, injuries, and loss of life. These events can develop slowly or happen very quickly, depending on various land and climate properties. The floodplain can be described as including both the floodway (when formally delineated) and the flood fringe, as shown in Figure 5-34.

Figure 5-34: Flood Definition



Riverine floods are described in terms of their extent (including the horizontal area affected and the vertical depth of floodwaters) and the related probability of occurrence. Flood studies use historical records to determine the probability of occurrence for different extents of flooding. Alluvial fans and alluvial fan flood hazards do exist in the state. Alluvial fan flood hazard characteristics include heavy sediment/debris loads and high velocity flows.

Flash floods are usually the result of excessive precipitation generally occurring in a very short period of time but can occur under normal precipitation when soil is very dry, or streams and storm water systems are already at capacity. Flash flooding can occur in riverbeds, streets, and canyons and is usually accompanied by movement of debris and sediment. These events can sometimes be predicted but there is usually not sufficient time to avoid property damage and injury. Flash flooding prone areas such as arroyos and canyons should be avoided during storm events to avoid injury. Flash flooding is the second greatest weather hazard in New Mexico. This hazard stems from several environmental and climactic factors:

- Summertime monsoon rains
- Warm rain on top of snowpack
- Vegetation loss on landscape due to wildfires
- Soil deterioration due to drought

Development and permeable surface alterations can drastically alter the risk of flooding events. This is especially true in floodplains that are expected to be inundated at various intervals. Flood potential is an important aspect to consider when proposing development, alterations to stormwater, and watershed channel migration and bank armoring.

The flood recurrence intervals, shown in Figure 5-35, are expressed as the percentage chance that a flood of a specific extent will occur in any given year. For Lincoln County, there is a 10% chance that a 10-year flood event could occur on a yearly basis. There is an expectation that Lincoln County will experience at least one flood event a year. Based on available data, it is expected that areas within identified floodplains would experience 1 to 10 feet of inundation impacting structures and the ability to navigate flooded transportation routes.

**Figure 5-35: Flood Recurrence Intervals**

Flood Recurrence	Chance of Occurrence in Any Given Year
10 year	10%
50 year	2%
100 year	1%
500 year	0.20%

According to the NWS, the most common cause of flooding is due to rain and/or snowmelt that accumulates faster than soil can absorb it, or rivers can carry it away. The quality of soil also plays a key role in how quickly water runs off the land. In healthy soils, the water has time to absorb into the soil, whereas unhealthy soils are not as porous and do not allow the water to seep in and be absorbed. Due to recent fire events and the burning of mineral-rich soils, the chances of flood events have increased due to the inability of soils to retain moisture. The burn scar areas are more susceptible to experiencing flood events.

When a flood event occurs, there are measurements that could be implemented that define the severity of the event. One of such measurements is the Precipitation Frequency Estimates, which are defined as the depth of precipitation at a specific location for a specific duration that has a certain probability of occurring in any given year. The Hydrometeorological Design Studies Center from NOAA utilizes NOAA Atlas 14. NOAA Atlas 14 provides precipitation frequency estimates for the semiarid Southwest. The precipitation frequency estimates are included for 5-minute through 60-day durations at average recurrence intervals of 1 year through 1,000 years. These estimates are based on the analysis of the annual maximum series and are then converted to partial duration series results. Point precipitation frequency estimates were gathered for an approximate centroid of Lincoln County, specifically at location (33.7849, -105.4211) at an elevation of 6,840 feet. It is important to note that these precipitation frequency estimates may differ for each participating jurisdiction within the county. Figure 5-36 displays the precipitation frequency estimates for a central location within Lincoln County and Figure 5-37 displays the annual accumulated precipitation for Lincoln County.

Figure 5-36: Precipitation Frequency Estimates for Lincoln County

AMS-based precipitation frequency estimates with 90% confidence intervals (in inches) <sup>1</sup>									
Duration	Annual exceedance probability (1/years)								
	1/2	1/5	1/10	1/25	1/50	1/100	1/200	1/500	1/1000
5-min	0.324 (0.281-0.376)	0.465 (0.403-0.540)	0.562 (0.485-0.650)	0.688 (0.591-0.792)	0.784 (0.670-0.903)	0.886 (0.753-1.02)	0.987 (0.835-1.14)	1.13 (0.945-1.29)	1.24 (1.03-1.42)
10-min	0.493 (0.427-0.572)	0.708 (0.613-0.822)	0.855 (0.738-0.989)	1.05 (0.899-1.21)	1.19 (1.02-1.37)	1.35 (1.15-1.55)	1.50 (1.27-1.73)	1.71 (1.44-1.97)	1.88 (1.57-2.16)
15-min	0.611 (0.530-0.710)	0.879 (0.760-1.02)	1.06 (0.914-1.23)	1.30 (1.12-1.49)	1.48 (1.26-1.70)	1.67 (1.42-1.92)	1.86 (1.58-2.14)	2.12 (1.78-2.44)	2.33 (1.94-2.68)
30-min	0.823 (0.713-0.956)	1.18 (1.02-1.37)	1.43 (1.23-1.65)	1.75 (1.50-2.01)	1.99 (1.70-2.29)	2.25 (1.91-2.59)	2.51 (2.12-2.88)	2.86 (2.40-3.29)	3.14 (2.62-3.61)
60-min	1.02 (0.883-1.18)	1.46 (1.27-1.70)	1.77 (1.52-2.04)	2.16 (1.86-2.49)	2.47 (2.11-2.84)	2.79 (2.37-3.21)	3.11 (2.63-3.57)	3.54 (2.97-4.07)	3.88 (3.24-4.47)
2-hr	1.17 (1.02-1.36)	1.68 (1.46-1.94)	2.03 (1.75-2.34)	2.49 (2.15-2.87)	2.86 (2.45-3.28)	3.26 (2.77-3.73)	3.65 (3.09-4.19)	4.20 (3.51-4.82)	4.65 (3.85-5.33)
3-hr	1.23 (1.07-1.42)	1.74 (1.52-2.01)	2.10 (1.83-2.42)	2.59 (2.23-2.97)	2.97 (2.54-3.40)	3.38 (2.87-3.86)	3.79 (3.20-4.34)	4.37 (3.65-5.00)	4.84 (4.00-5.54)
6-hr	1.39 (1.23-1.59)	1.95 (1.71-2.22)	2.33 (2.05-2.66)	2.85 (2.48-3.24)	3.26 (2.82-3.69)	3.69 (3.17-4.18)	4.14 (3.52-4.68)	4.75 (4.00-5.38)	5.24 (4.37-5.94)
12-hr	1.55 (1.37-1.76)	2.16 (1.90-2.45)	2.58 (2.26-2.91)	3.13 (2.73-3.54)	3.57 (3.10-4.03)	4.03 (3.48-4.55)	4.50 (3.85-5.09)	5.15 (4.36-5.82)	5.66 (4.75-6.41)
24-hr	1.61 (1.46-1.79)	2.22 (2.01-2.47)	2.65 (2.40-2.94)	3.22 (2.90-3.57)	3.67 (3.28-4.07)	4.15 (3.69-4.60)	4.64 (4.10-5.14)	5.32 (4.64-5.91)	5.86 (5.07-6.53)
2-day	1.82 (1.65-2.02)	2.52 (2.28-2.80)	3.02 (2.72-3.35)	3.69 (3.31-4.09)	4.21 (3.76-4.68)	4.78 (4.23-5.32)	5.37 (4.71-5.98)	6.18 (5.35-6.92)	6.84 (5.86-7.68)
3-day	1.98 (1.81-2.19)	2.74 (2.49-3.02)	3.27 (2.97-3.60)	3.97 (3.58-4.37)	4.52 (4.06-4.98)	5.12 (4.56-5.64)	5.72 (5.06-6.32)	6.55 (5.72-7.27)	7.22 (6.24-8.04)
4-day	2.15 (1.97-2.36)	2.96 (2.70-3.24)	3.52 (3.21-3.85)	4.26 (3.86-4.66)	4.83 (4.37-5.29)	5.45 (4.89-5.97)	6.07 (5.41-6.66)	6.92 (6.10-7.62)	7.60 (6.63-8.40)
7-day	2.55 (2.34-2.78)	3.48 (3.19-3.80)	4.12 (3.77-4.49)	4.95 (4.51-5.39)	5.58 (5.06-6.07)	6.24 (5.64-6.81)	6.90 (6.19-7.54)	7.79 (6.91-8.55)	8.48 (7.47-9.34)
10-day	2.89 (2.64-3.17)	3.95 (3.61-4.33)	4.68 (4.27-5.13)	5.64 (5.12-6.17)	6.37 (5.76-6.98)	7.15 (6.42-7.84)	7.92 (7.07-8.71)	8.97 (7.92-9.89)	9.79 (8.57-10.9)
20-day	3.82 (3.51-4.16)	5.15 (4.73-5.60)	6.01 (5.51-6.54)	7.07 (6.46-7.69)	7.84 (7.15-8.54)	8.63 (7.83-9.41)	9.37 (8.47-10.2)	10.3 (9.26-11.3)	11.0 (9.84-12.1)
30-day	4.65 (4.29-5.05)	6.20 (5.72-6.72)	7.16 (6.60-7.76)	8.30 (7.64-9.00)	9.10 (8.37-9.87)	9.90 (9.07-10.7)	10.6 (9.70-11.6)	11.5 (10.5-12.6)	12.2 (11.0-13.3)
45-day	5.75 (5.32-6.22)	7.59 (7.02-8.22)	8.69 (8.04-9.40)	9.96 (9.20-10.8)	10.8 (9.98-11.7)	11.7 (10.7-12.6)	12.4 (11.4-13.4)	13.3 (12.2-14.4)	13.9 (12.7-15.2)
60-day	6.69 (6.21-7.20)	8.78 (8.14-9.44)	10.0 (9.28-10.7)	11.4 (10.5-12.2)	12.3 (11.4-13.3)	13.2 (12.2-14.2)	14.0 (12.9-15.1)	14.9 (13.7-16.1)	15.5 (14.2-16.8)

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of annual maxima series (AMS).  
Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and annual exceedance probability) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.  
Please refer to NOAA Atlas 14 document for more information.

Source: NOAA (2011).

A few components that serve a significant concern when precipitation is present include the area precipitation information is gathered for, the time span the precipitation is falling, an estimated precipitation amount, and the effects the precipitation is having on the area. These components are especially true when flooding occurs. During flood events, the amount of precipitation and time span this precipitation is falling is crucial information needed for determining the potential and severity of flooding effects that may occur.

Additionally, the amount of precipitation falling in a wider area may not be as significant as that same amount of precipitation falling in a smaller area. The amount of time the precipitation falls is another crucial component of flooding. Any amount of precipitation has the potential for disaster, depending on how fast or how slow the precipitation falls. For example, if 1 inch of rain falls in a span of 12 hours, the effects from this is minimal; whereas if that same 1 inch of rain falls in a span of 30 minutes, flooding and disastrous events are more likely to occur.

**Figure 5-37: Annual Accumulated Precipitation for Lincoln County**

Year	Precipitation (inches)
2022	13.50
2021	11.62
2020	9.27
2019	13.23
2018	13.85
2017	14.62
2016	12.38
2015	19.37
2014	14.31
2013	12.63
2012	8.67
2011	8.25
2010	14.61

During the summer (June through August), thunderstorm frequency in certain parts of New Mexico is among the highest in the nation (NOAA 2023b). Excessive moisture during the summer can lead to large volume runoffs enhanced by the steep and unstable terrain. Although thunderstorms are profiled under severe weather hazard, flood occurrence extend probability and damages are discussed under the flood hazard. The Planning Team made this change for the 2023 HMP so that all flood-related data could be analyzed in one location within the plan.

Most of the flash floods in New Mexico are associated with the summer monsoon season. According to National Weather Service flash flood data from 1993–2017, over 60% of all flash floods in the state occur in July and August (NWS 2023c). The monsoon season generally dissipates in the northern part of the state in early September.

In mid to late summer, the Pacific winds bring humid subtropical air into the state. Solar heating triggers afternoon thunderstorms that can result in devastating flash flooding events. These flash floods generally travel down arroyos (normally dry streambeds) and can produce a rapid rise in water level with high velocities that convey large amounts of debris. This debris-filled high-velocity water can lead to significant damage that includes the uprooting of trees, undermining of buildings and bridges, and scouring of new channels that worsen existing erosion features.

The intensity of flash flooding is a function of the intensity and duration of rainfall, steepness of the watershed, stream gradients, watershed vegetation, natural and artificial flood storage areas, and configuration of the streambed and floodplain. Dam failure and ice jams may also lead to flash flooding. Urban areas are increasingly subject to flash flooding due to the removal of vegetation, replacement of ground cover with impermeable surfaces, and construction of drainage systems. Local drainage floods may occur outside of recognized drainage channels or delineated floodplains from a combination of locally

heavy precipitation, a lack of infiltration, inadequate facilities for drainage and storm water conveyance, and increased surface runoff.

Winter flash flood events usually result from unseasonably high-level rain on top of a snowpack. Excessive runoff allows the combined release of the water in the snowpack along with the rain. These can be flash flood events lasting less than a day, or they can evolve into longer-term flooding events lasting from 1 day to a couple of weeks. Winter flooding occurs between November and February and usually affects the southwest portion of the state.

Most spring events occur between April and June. They vary between winter type events where the rain falls over an old snowpack in or near the mountains to events in the eastern plains, which are often associated with cold fronts, abundant moisture from the Gulf of Mexico, and upslope conditions. Seasonal flooding and flashfloods may impact large portions of Lincoln County.

Seasonal flooding and flashfloods may impact large portions of Lincoln County. The impact of flooding by the 1% chance event is shown on the County's Flood Insurance Rate Maps (FIRMs) as shown for each participating jurisdiction as Figures 5-41, 5-43, 5-45, 5-46, 5-48, 5-49, and 5-51.

In the aftermath of the 2012 Little Bear Fire, it has been noted that areas that were previously not shown in the floodplain are being more severely impacted by flood events, particularly the Rio Bonito and Eagle Creek. Updated inundation mapping was used to account for the changes in these watersheds. Examples of flood events and their extents include the 2008 Ruidoso Flood (discussed below) where the peak flow measured at the Hollywood Station registered 1,630 cubic feet per second. In addition to the potential for annual flooding events, data are available from the County Planning Department (provided by FEMA) regarding 100-year flood events in Lincoln County for the following rivers (flood index data are feet above riverbed):

- Carrizo Creek:  $\pm 12$  feet
- Cedar Creek:  $\pm 9$  feet
- Rio Bonito:  $\pm 10$  feet
- Rio Ruidoso:  $\pm 20$  feet
- Rio Hondo:  $\pm 20$  feet
- Eagle Creek:  $\pm 10$  feet
- Little Creek:  $\pm 10$  feet
- Gavilan Creek:  $\pm 10$  feet

In all areas of the County bridges/crossings are going to be under the base flood elevation according to the 1% flood chart. This will be a severe risk to the County of losing road infrastructure, and necessitating water crossing rescues of County residents that will be stranded. Flood gauges maintained by USGS are in the following locations:

- Rio Hondo at Diamond A Ranch near Roswell
- Rio Hondo above Chavez Canyon near Hondo
- Rio Ruidoso at Hollywood
- Rio Ruidoso at Ruidoso

- North Fork Eagle Creek near Alto
- South Fork Eagle Creek, near Alto
- Bonito Lake near Alto
- Rio Bonito at Highway 48 bridge near Alto
- Gavilan Creek at Skunk Canyon near Hollywood (temporary at this time)

Excessive runoff of the Rio Ruidoso is the principal cause of flooding in Ruidoso. The Rio Ruidoso is a perennial river which flows approximately 6 miles through the village in an easterly direction. The source of the Rio Ruidoso is on the eastern slope of Sierra Blanca at an elevation of nearly 12,000 feet. The drainage area at the Hollywood gaging station is 125 square miles.

Excessive flow in the tributaries of the Rio Ruidoso causes the remaining flood problems in the community. The major tributaries to the Rio Ruidoso from upstream to downstream are Brady Canyon, an intermittent stream which flows southeasterly; Carrizo Creek, a perennial stream which rises on the southeast slope of Sierra Blanca, then flows to the northeast; Cedar Creek, a perennial stream which flows southeasterly; and Cherokee Bill Canyon, which contains a northeasterly flowing intermittent stream. Cherokee Bill Canyon flow originates in the Sacramento Mountains. Gavilan Creek flows into the Rio Ruidoso upstream of Moon Mountain; the upstream portion is ephemeral, and the downstream portion is perennial. In Lincoln County, the anticipated magnitude of water levels above the streambed are shown on the following based on the 2014 FEMA Flood Insurance Study (FEMA 2014):

- Rio Bonito – 10 feet above the streambed

Water in the Rio Bonito canyon would reach 10 feet above the streambed and potentially cause severe damage to property and impact 27 homes, the lower portion of the Nazarene Church camp and an RV park, as well as street flooding and low water crossings. The Planning Team agreed that 25% of those structures would be severely damaged or destroyed.

- Rio Hondo – 20 feet above the streambed

Water in the Rio Hondo, below the confluence of the Rio Ruidoso and Rio Bonito would reach 20 feet above the streambed. This area is very rural with most of the impact being farmland, street flooding, low water crossings, and acequias. Approximately six homes are situated below 20 feet of the streambed. The Planning Team agreed that 25% of these homes would be severely damaged or destroyed.

- Salado creek – 10 feet above the streambed

Salado creek runs through all rural areas and would not have any impact on farmland, low water crossings, and acequias or structures.

### **National Flood Insurance Program**

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. The Mitigation Division, a component of FEMA, manages the NFIP and oversees the floodplain management and mapping components of the program.

Nearly 22,000 communities across the United States and its territories participate in the NFIP by adopting and enforcing floodplain management ordinances to reduce future flood damage. In exchange, the NFIP makes federally backed flood insurance available to homeowners, renters, and business owners in

these communities. There are 140 NFIP participating communities in New Mexico, with five being in Lincoln County.

The NFIP Community Rating System (CRS) was implemented in 1990 as a program to recognize and encourage community floodplain management activities to go beyond minimum NFIP standards. The National Flood Insurance Reform Act of 1994 codified the CRS in the NFIP. Under the CRS, flood insurance premium rates are adjusted to reflect the reduced flood risk resulting from community activities that meet the three goals of the CRS: (1) reduce flood losses; (2) facilitate accurate insurance rating; and (3) promote the awareness of flood insurance.

Flood damage is reduced by nearly \$1 billion a year through partnerships with NFIP and CRS communities, the insurance industry, and the lending industry. Buildings constructed in compliance with NFIP building standards also suffer approximately 80% less damage annually than those not built in compliance. Further, every \$3 paid in flood insurance claims saves \$1 in disaster assistance payments. The NFIP is self-supporting for the average historical loss-year, which means that operating expenses and flood insurance claims are not paid for by the taxpayer but through premiums collected for flood insurance policies. The program has borrowing authority from the U.S. Treasury for times when losses are heavy; however, these loans are usually paid back with interest.

To obtain secured financing to buy, build, or improve structures in Special Flood Hazard Areas, flood insurance must be purchased. Lending institutions that are federally regulated or federally insured must determine if the structure is located in a Special Flood Hazard Area and must provide written notice requiring flood insurance.

Flood insurance is available to any property owner located in a community participating in the NFIP. Any area is susceptible to flooding, although to varying degrees. In fact, 25% of all flood claims occur in low-to-moderate risk areas.

The most widely adopted design and regulatory standard for floods in the United States is the 1% annual flood and this is the standard formally adopted by FEMA. The 1% annual flood event (also known as the base flood elevation) has a 1% chance of occurring in any 1 year.

For Lincoln County and the incorporated communities Figure 5-38 shows NFIP Community Identification, NFIP Entry Date, Number of Policies, amount of coverage and a brief description of NFIP administration. Lincoln County, Village of Ruidoso, City of Ruidoso Downs, Village of Capitan, and Town of Carrizozo all participate in the NFIP. The Village of Corona is not a participating jurisdiction. As described in Section 5.3.2.3., the Village of Corona considers flooding to be a nuisance hazard as there is no historical knowledge of damages related to flooding, and the 15 acres of FEMA mapped floodplain within the village contains no structures. As such, the Village does not participate in the NFIP since there is no flood risk to structures. They do not anticipate joining the NFIP in the future.

The Village of Ruidoso has one repetitive loss structure that is residential and is currently outside the mapped special flood hazard area. Lincoln County, City of Ruidoso Downs, Village of Capitan, and Town of Carrizozo do not have repetitive loss structures. There are no severe repetitive loss structures in any of the participating jurisdictions.

The current NFIP coverage county-wide is \$41,459,000 with total claim payouts at \$2,288,765. It is interesting to note that the number of NFIP policies has decreased County-wide since the 2018 HMP. There are 135 less policies in place as of March 2023. Reasons for the decreases could be increased

premium costs, insufficient payouts compared to damages, or less federally backed mortgages being secured.

**Figure 5-38: NFIP Status and Statistics for Lincoln County and Participating Jurisdictions**

<b>Jurisdiction</b>	<b>Community Identifier</b>	<b>NFIP Entry Date</b>	<b>Number of Policies</b>	<b>Amount of Coverage</b>	<b>Claim Payout (rounded to \$1)</b>	<b>Floodplain Management Administration</b>
Lincoln County	350122	10/1/2009	58	\$12,948,000	\$12,252	Provides floodplain management for the unincorporated County with a Certified Floodplain Manager (CFM)
Village of Ruidoso	350098	3/2/1983	106	\$26,406,000	\$2,184,994	Floodplain management provided by the Village of Ruidoso CFM
City of Ruidoso Downs	350034	2/18/1975	7	\$1,379,000	\$91,519	Floodplain management provided by the City of Ruidoso Downs CFM
Carrizozo	350110	5/5/2010	0	\$0	\$0	Floodplain management provided by MOU with Lincoln County
Capitan	350098	11/19/2008	3	\$726,000	\$0	Floodplain management provided by MOU with Lincoln County

### **Flood Insurance Rate Maps**

FEMA FIRMs identify flood zones and are used to determine flood insurance requirements and policy costs. The current effective FIRMs for Lincoln County are dated 11/16/2011, for the Village of Ruidoso (dated 03/02/83), Ruidoso Downs (07/05/82), Carrizozo (08/22/75), and Capitan (06/25/76). The flood zones have been superimposed on the flood hazard maps shown in Section 5.3.2.3.

Throughout Lincoln County, there are varied ‘effective dates’ for the FIRMs. Although individual FIRMs may have differing effective dates, FEMA uses the most recent date as the one community effective date. The one community effective FIRM date for Lincoln County is 11/16/2011, for the Village of Ruidoso is 3/2/83, for Ruidoso Downs is 7/5/82, for Carrizozo is 8/22/75, and for Capitan is 6/25/76. Figure 5-39 shows the FIRM Panel Number, effective date, and jurisdiction.

**Figure 5-39: FIRM Effective Dates per Community**

FIRM Panel	Effective Date	Jurisdiction (s)
35027CIND0B	11/5/2014	Index map for all communities
35027C0090D	11/16/2011	County (unincorporated)
35027C0100D	11/16/2011	County (unincorporated)
35027C0450D	11/16/2011	County (unincorporated)
35027C0600D	11/16/2011	County (unincorporated)
35027C0625D	11/16/2011	County (unincorporated)
35027C0650D	11/16/2011	County (unincorporated)
35027C0675D	11/16/2011	County (unincorporated)
35027C0725D	11/16/2011	County (unincorporated)
35027C0750D	11/16/2011	County (unincorporated)
35027C0775D	11/16/2011	County (unincorporated)
35027C0800D	11/16/2011	County (unincorporated)
35027C0825D	11/16/2011	County (unincorporated)
35027C0850D	11/16/2011	County (unincorporated)
35027C0875D	11/16/2011	County (unincorporated)
35027C0900D	11/16/2011	County (unincorporated)
35027C0925D	11/16/2011	County (unincorporated)
35027C0950D	11/16/2011	County (unincorporated)
35027C0975D	11/16/2011	County (unincorporated)
35027C1000D	11/16/2011	County (unincorporated)
35027C1025D	11/16/2011	County (unincorporated)
35027C1050D	11/16/2011	County (unincorporated)
35027C1075D	11/16/2011	County (unincorporated)
35027C1100D	11/16/2011	County (unincorporated)
35027C1125D	11/16/2011	County (unincorporated)
35027C1150D	11/16/2011	County (unincorporated)
35027C1250D	11/16/2011	County (unincorporated), Carrizozo
35027C1275D	11/16/2011	County (unincorporated), Carrizozo
35027C1350D	11/16/2011	County (unincorporated)
35027C1375D	11/16/2011	County (unincorporated)
35027C1400D	11/16/2011	County (unincorporated)
35027C1425D	11/16/2011	County (unincorporated)

<b>FIRM Panel</b>	<b>Effective Date</b>	<b>Jurisdiction (s)</b>
35027C1450D	11/16/2011	County (unincorporated)
35027C1525D	11/16/2011	County (unincorporated)
35027C1550D	11/16/2011	County (unincorporated)
35027C1575D	11/16/2011	County (unincorporated)
35027C1600D	11/16/2011	County (unincorporated)
35027C1615D	11/16/2011	County (unincorporated), Capitan
35027C1625D	11/16/2011	County (unincorporated), Capitan
35027C1650D	11/16/2011	County (unincorporated)
35027C1675D	11/16/2011	County (unincorporated)
35027C1700D	11/16/2011	County (unincorporated)
35027C1725D	11/16/2011	County (unincorporated)
35027C1750D	11/16/2011	County (unincorporated)
35027C1775D	11/16/2011	County (unincorporated)
35027C1800D	11/16/2011	County (unincorporated)
35027C1825D	11/16/2011	County (unincorporated)
35027C1850D	11/16/2011	County (unincorporated)
35027C1875D	11/16/2011	County (unincorporated)
35027C1880D	11/16/2011	County (unincorporated)
35027C1885D	11/16/2011	County (unincorporated)
35027C1890D	11/16/2011	County (unincorporated), Ruidoso
35027C1895D	11/16/2011	County (unincorporated), Ruidoso
35027C1910D	11/16/2011	County (unincorporated), Ruidoso
35027C1920E	11/5/2014	County (unincorporated)
35027C1925D	11/16/2011	County (unincorporated)
35027C1940E	11/5/2014	County (unincorporated)
35027C1945E	11/5/2014	County (unincorporated)
35027C1950D	11/16/2011	County (unincorporated), Ruidoso
35027C1965E	11/5/2014	County (unincorporated)
35027C1970E	11/5/2014	County (unincorporated)
35027C1975D	11/16/2011	County (unincorporated)
35027C2000D	11/16/2011	County (unincorporated)
35027C2025D	11/16/2011	County (unincorporated)
35027C2050D	11/16/2011	County (unincorporated)

FIRM Panel	Effective Date	Jurisdiction (s)
35027C2052D	11/16/2011	County (unincorporated), Ruidoso
35027C2055D	11/16/2011	County (unincorporated), Ruidoso
35027C2056D	11/16/2011	County (unincorporated), Ruidoso
35027C2057D	11/16/2011	County (unincorporated), Ruidoso
35027C2058D	11/16/2011	County (unincorporated), Ruidoso
35027C2059E	11/5/2014	County (unincorporated), Ruidoso, Ruidoso Downs
35027C2066D	11/16/2011	County (unincorporated), Ruidoso
35027C2067D	11/16/2011	County (unincorporated), Ruidoso
35027C2080E	11/5/2014	County (unincorporated), Ruidoso, Ruidoso Downs
35027C2085E	11/5/2014	County (unincorporated), Ruidoso Downs
35027C2150D	11/16/2011	County (unincorporated)
35027C2175D	11/16/2011	County (unincorporated)
35027C2200D	11/16/2011	County (unincorporated)
35027C2225D	11/16/2011	County (unincorporated)
35027C2250D	11/16/2011	County (unincorporated)
35027C2275D	11/16/2011	County (unincorporated)
35027C2300D	11/16/2011	County (unincorporated)
35027C2325D	11/16/2011	County (unincorporated)

**Flood zones as identified throughout this plan are defined below:**

**Zone A:** The 1% chance event. These floodplains are mapped by approximate methods; Base Flood Elevations (BFE) are not determined. This is often called an unnumbered A zone or an approximate A zone. Because detailed analyses are not performed for such areas, no depths or base flood elevations are shown within these zones.

**Zone AE:** Base floodplain where base flood elevations are provided.

**Zone AH:** Shallow flooding in base floodplain with an average depth ranging from 1 to 3 feet. BFEs are provided.

**Zone X (shaded):** Area of moderate flood hazard, usually the area between the limits of the 100-year and the 500-year floods.

**Zone X (unshaded):** Area determined to be outside the 500-year flood and protected by levee from 100-year flood.

**Zone D:** Area of undetermined but possible flood hazards. No flood hazard analysis has been conducted.

Base Level Engineering (BLE) is used to create engineering models and flood hazard data by combining information from high-resolution ground level data, automated riverine hydrologic and hydraulic modeling, plus manual modeling review. The engineering models can be used to create several different non-regulatory products such as water surface elevations and the depth grids shown in Section

5.3.2.3. In addition, the digital BLE files can be used for further refinement by each participating jurisdiction or by the development community. For example, flood risk maps, a flood risk report, and a flood risk database can be produced using the BLE digital data. Using BLE as a basis to strengthen a community’s floodplain ordinance would be considered a higher standard than the minimum federal requirements. The flood risk information can be used for as best available data for permitting and planning.

It is important to note that there are some limitations to using the BLE data. For example, BLE data can be used in some circumstances to provide the Base Flood Elevation for a Letter of Map Amendment (LOMA). However, using the BLE data for a Letter of Map Revision (LOMR) or Physical Map Revision, will require engineering costs to process and finalize the information to meet requirements for these types of map changes. Another important limitation, according to the 2018 State Hazard Mitigation Plan is that the “underlying floodplain modeling does not take into account structures, culverts, channels, bridges, and other associated flood mitigation infrastructure”.

The Rio Hondo watershed served as the case study in New Mexico for BLE; the initial discovery phase started in 2014 and included the entire watershed in Lincoln County, Chavez County, and on the Mescalero Apache Tribe lands.

### **5.3.2.2 Previous Occurrences**

Information from the NCEI indicated that 45 flood events were reported within Lincoln County between January 2010 and January 2023 (NOAA 2023a). Figure 5-40 shows previous occurrences per participating jurisdiction with respect to flood event date and areas affected from January 1, 2017, through December 31, 2022, according to the NCEI and Planning Team input. NOTE: The detailed description column is direct event narrative from the NOAA Storm Events Database, in order to convey the most accurate and correct information for each flood event. The previous occurrence listing for flood events prior to January 1, 2017, is found in Appendix B-2; this is the same list that was shown in the 2018 HMP.

**Figure 5-40: 1/1/2017-12/31/2022 Flood – Previous Occurrences (Lincoln County)**

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>
Lincoln County Village of Ruidoso City of Ruidoso Downs	2/16/2018	According to the NWS, there was approximately 2.5 – 3 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 189 cubic feet per second (cfs) of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/14/2018	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 446 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/27/2018	According to the NWS, there was approximately 3 – 4 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 192 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/30/2018	According to the NWS, there was approximately 0.75 – 1 inches of rain that on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 882 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	8/21/2018	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 247 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	8/22/2018	According to the NWS, there was approximately 1 – 1.5 inches of rain that on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 212 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	8/28/2019	According to the NWS, there was approximately 1 – 1.5 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 172 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge. This event is also noted in the thunderstorm section
Lincoln County Village of Ruidoso City of Ruidoso Downs	3/13/2020	According to the NWS, there was approximately 0.5 – 0.75 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 173 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County	07/19/2020	Deeper moisture continued spreading into the state as the center of upper-level high pressure over the Four Corners region weakened further on July 19, 2020. Showers and thunderstorms developed during the mid to late afternoon hours along the central mountain chain before drifting southeast into nearby highlands and plains. Several of these thunderstorms produced a quick 1 to 2 inches of rain with minor flooding observed around Pojoaque, Santa Fe, Logan, and the Caprock region. The strongest thunderstorms generated torrential rainfall rates over 2 inches per hour with localized flash flooding in the high terrain west of Ruidoso and west of Corona. \$10K in property damage was reported.

Location	Date	Detailed Description
Lincoln County	08/05/2020	A backdoor cold front that moved into eastern New Mexico recharged moisture over the region on August 5, 2020. Thunderstorm coverage increased over the area however most activity was light across were able to impact eastern NM. A nearly stationary storm around Bonito Lake caused flash flooding on the Little Bear burn scar. Radar estimated between 1 to 2 inches of rain fell which washed out old debris in the area. \$10K in property damages was reported.
Lincoln County Village of Corona	05/28/2021	The NASA Columbia Scientific Balloon Facility southeast of Corona measured 5.77 inches of rainfall is a short period of time which caused flash flooding in the area with unpaved roadways washed out. \$100K in property damages were reported in NCEI. However, the Village of Corona Clerk and staff have no reports of this damage. * This event is also noted in the hail section.
Lincoln County	05/30/2021	Heavy rainfall in the Hondo area caused widespread flooding of roads and low water crossings. The Lincoln County Emergency Manager estimated that the Rio Ruidoso rose 4 to 6 feet quickly while Alamo Canyon Road south of US70 was completely inundated. † One individual was in their truck at Alamo Canyon Road and became stuck in the low water crossing when the flood waters inundated it. The individual then either tried to escape or the flood waters pulled them out of their truck. Tragically, they drowned, and their body was found the next day. Damages are estimated for the loss of the truck. \$60K in property damage was reported.
Lincoln County	6/30/21	Heavy rain in the Picacho area in Lincoln County resulted in the flooding along low water crossings across US70. An individual attempted to drive their truck into a flooded low water crossing. Fortunately, the driver was not hurt, but the truck was submerged and had to be pulled out of the water. Damages are estimated for the loss of the truck. \$15K in property damage was reported.
Lincoln County	06/30/2021	Heavy rain near Arabela forced the closure of New Mexico State Road 368 at mile marker 9. The Lincoln County Emergency Manager reported that water was flooding a substantial bridge at mile marker 9. † \$20K in property damage was reported.

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>
Lincoln County	06/30/2021	Heavy rain near Arabela forced the closure of New Mexico State Road 246 between mile marker 29 and 31.5. The Lincoln County Emergency Manager reported that the flood waters washed away the pavement. <sup>†</sup> \$50K in property damage was reported.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/2/2021	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 172 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Capitan	7/3/2021	Heavy rain near Capitan in Lincoln County resulted in the rapid rise of the Magado Creek near the Capitan Fairgrounds. The Magado Creek rose an estimated 10 feet which caused the flooding of a low water crossing in the area and temporarily trapping two unoccupied vehicles. No injuries or fatalities were reported. Damages are estimated for the damage to the two vehicles. \$30K in property damage was reported.
Lincoln County Village of Ruidoso	07/06/2021	Heavy rain along the Rio Ruidoso caused water to overflow its banks which resulted in flash flooding alongside the river. Several bridges, such as the Main Road Bridge, Gavilan Canyon Bridge, and the Eagle Bridge were overtopped and damaged. The McDaniel Bridge in Upper Canyon was completely destroyed. The City of Ruidoso opened a community center for displaced residents and visitors. Damages are estimated for the structural damage done to the bridges. The New Mexico Governor declared a state of emergency for Lincoln County as a result of the significant flooding. \$750K in property damage was reported.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/6/2021	According to the NWS, there was approximately 3 – 4 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 3,240 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Capitan	7/25/2021	Video obtained by KOAT Television (TV) showed flash flooding in Angus with fast moving water rushing against a home and leaking underneath the doorway. No significant damages are known, and damages are estimated for minor home flood damage. \$20K in property damage was reported. This event is also noted in the hail section.

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>
Lincoln County	07/26/2021	Strong thunderstorms near Encinoso produced an estimated 1.5 to 2 inches of rainfall. This resulted in severe flooding along New Mexico State Road 246 which forced the closure of the roadway from mile marker 18 to mile marker 36. Damages are estimated for the washed-out roadway. \$10K in property damage was reported.
Village of Ruidoso City of Ruidoso Downs	8/27/2021	According to the NWS, there was approximately 0.25 – 0.5 inches of rain that fell southwest of Ruidoso and was measured by the gauge. Approximately 414 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	6/22/2022	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell on the Sacramento Mountains and led through Ruidoso and was measured by the gauge. Approximately 186 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County	7/7/2022	The Lincoln County Emergency Manager reported that an estimated 1.5 inches over the McBride burn scar caused flooding of Lower Eagle Creek which is also known as NM State Highway 120. † Many 6-18 inch diameter boulders flowed over the road along with large segments of burned timber. \$50K property damage was reported.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/25/2022 Hollywood, NM	According to the NWS, there was approximately 0.25 – 0.5 inches of rain that fell southwest of Ruidoso and was measured by the gauge. Approximately 725 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso City of Ruidoso Downs	7/28/2022 Hollywood, NM	According to the NWS, there was approximately 0.75 – 1 inch of rain that fell southwest of Ruidoso and was measured by the gauge. Approximately 158 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Lincoln County Village of Ruidoso	8/9/2022 Alto	Heavy rain on the McBride burn scar caused flash flooding along Gavilan Canyon Road near the intersection of Eagle Creek Canyon Road in Ruidoso. \$75K in property damage was reported.
Village of Ruidoso City of Ruidoso Downs	8/9/2022 Hollywood, NM	According to the NWS, there was approximately 0.75 – 1 inch of rain that fell west of Ruidoso and was measured by the gauge. Approximately 1,230 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.

Location	Date	Detailed Description
Village of Ruidoso	8/20/2022 Alto	The Lincoln County Emergency Manager reported that hours of light, steady rainfall with totals of 1 to 2.5 inches caused burn scar flash flooding on the McBride burn scar near Ruidoso. All of Gavilan Canyon was flooded. † \$25K in property damage was reported.
Village of Ruidoso City of Ruidoso Downs	8/20/2022 Hollywood, NM	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell in Ruidoso and was measured by the gauge. Approximately 666 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.
Village of Ruidoso City of Ruidoso Downs	8/21/2022 Hollywood, NM	According to the NWS, there was approximately 1.5 – 2 inches of rain that fell southwest of Ruidoso and was measured by the gauge. Approximately 161 cfs of discharge was flowing through the Rio Ruidoso at the point of the gauge.

Source: NOAA (2023a)

\* = Village of Corona Clerk. † = Lincoln County Emergency Manager.

While reviewing the previous occurrences of flood events within Lincoln County up to 2022, there were no floods that occurred within the boundaries of the Village of Capitan, Town of Carrizozo, and the Village of Corona. Although there are no previous or current floods in these jurisdictions, the 1% annual flood risk is always present. The delineation of this hazard area for all assessed communities is shown and discussed in further detail in the below *location and extent* section.

In April 2022, the McBride Fire impacted the county, burning over 6,000 acres and destroying over 200 structures and killing two people. The fire resulted in a burn scar where much of the Gavilan Canyon Watersheds' vegetation was stripped away. This vegetation was crucial in the detention of water that replenishes the communities' aquifers and lakes which are the primary sources of drinking water. The high intensity fire also created hydrophobic soil conditions, which act as a large waterproof blanket over the landscape and does not allow water to penetrate the soil. Water therefore moved quickly across the landscape, transporting large quantities of sediment as it moves into the watersheds. This contributed to large concentrations of water run-off and flooding within the different tributaries throughout Gavilan Canyon, which destroyed roads, utilities, and structures. The flooding damages have become more catastrophic and costlier than the fire itself, due to the numerous times it has impacted the community and the volume of debris the flood waters transported from the damaged watersheds. These effects are anticipated to keep happening for the next several years, or until the watersheds are stabilized, either naturally through plant revegetation or through human introduction of erosion control and strategic planting.

In many of the burn scars, communities can assist in the watershed stabilization and help reduce the infrastructure damages through efforts of tree sapling planting, seeding, tree contour felling across burned slopes, debris flow barriers, retention ponds or sediment tanks, and connecting the streams and rivers stay to their respective floodplains, which allows for sediment and debris drop out within designated locations. This can be seen with the sediment and debris catchment project located at Gavilan Canyon Road and Warrior Drive, where a designated location was identified for the detention of water, allowing for debris and sediment to “drop-out” of the flood waters to minimize infrastructure damages further down the Gavilan Canyon Creek, i.e., Gavilan Canyon Road Bridge. Without these mitigation measures being constructed,

the Gavilan Canyon Road and Gavilan Canyon Road bridge would be destroyed, trapping community members and placing their lives at risk.

A large number of destructive flooding events also occur outside of burn scar areas and result from long live storm cells depositing large amounts of precipitation, often in a short period of time. This can overwhelm watersheds, particularly those under drought conditions, and pose a large risk to communities with high amounts of impermeable surfaces or outdated storm water systems.

Heavy Precipitation and Flooding Events in 2021 and the 2008 flooding that resulted from remnants of Hurricane Dolly, each caused severe damage to roads, bridges, utilities, communication, and structures. These events were the results of slow-moving weather systems depositing large amounts of precipitation over steep slopes and naturally hydrophobic arid soils, resulting in significant run-off and flooding. During these disasters, the wastewater system was compromised which contaminated drinking water wells and the Rio Ruidoso. Debris flow from these events also destroyed multiple bridges. As a result, the community and the affected stakeholders decided to work with Federal and state agencies to mitigate the bridges to a larger size that is capable of handling larger flooding events, and to armor or relocate the waste waters system out of the Rio Ruidoso. These mitigation measures can be seen throughout the Rio Ruidoso, and on bridge replacements such as McDaniel, Main Road, and Gavilan Canyon Road, and the construction of the wastewater lift stations at Sleep Hallow and Main Road. As a result of these floods and other flooding disasters, additional mitigation measures are being utilized to help mitigate infrastructure damages, such as the relocation of utilities out of rivers and ditches, treatment of roads, upsizing of culverts to handle the larger volumes of water, armoring of riverbanks and side of roads with large rip rap to prevent any erosion, and the reconnecting rivers and tributaries to their respective floodplains where possible.

### **5.3.2.3 Location and Extent per Participating Jurisdiction**

#### **Lincoln County**

Figure 5-41 displays the flood hazard for Lincoln County. The areas north of Capitán have category Zone A, which is a 1% annual chance of a flood event occurring. Areas north of Ruidoso are comprised of FIRM Zone AE, which are areas located in close proximity to floodplains. Areas south of Ruidoso are areas of moderate flooding between 100- year and 500- year floods. The Ruidoso Downs also has a small section part of Zone X.

Figure 5-42 displays the overall flood depth elevation for a 1% chance flood event in Lincoln County, produced with Base Level Engineering as described in Section 5.3.2.1. The four towns identified in the flood depth community boundary are Carrizozo, Capitán, Ruidoso, and Ruidoso Downs. The largest area for a combined flood depth of 0–5 feet impacts approximately 10,278 acres which is highlighted in a lighter shade of purple. The smallest area has approximately 37 acres impacted by a 40- to 70-foot flood depth shown in a darker purple color. Flood extent, based on previous occurrences and mapped data, ranges from 0 to 40 feet in unincorporated Lincoln County. According to the non-regulatory flood depth grids, flood extent could reach 70 feet in depth.

Three of the towns will be further analyzed by flood hazard and flood depth. The remaining towns will only be analyzed with flood hazard maps.

Figure 5-41: Flood Hazard for Lincoln County

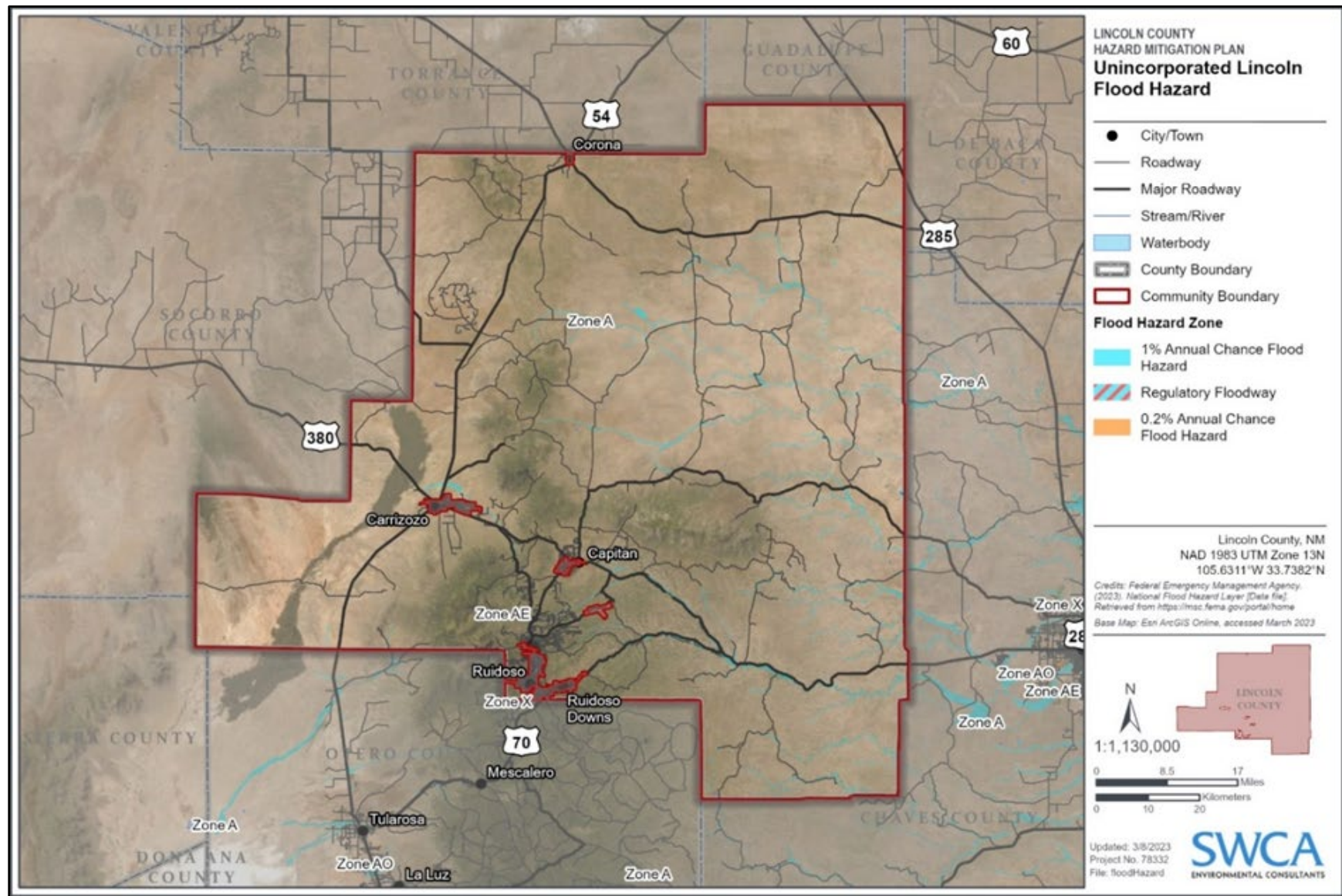
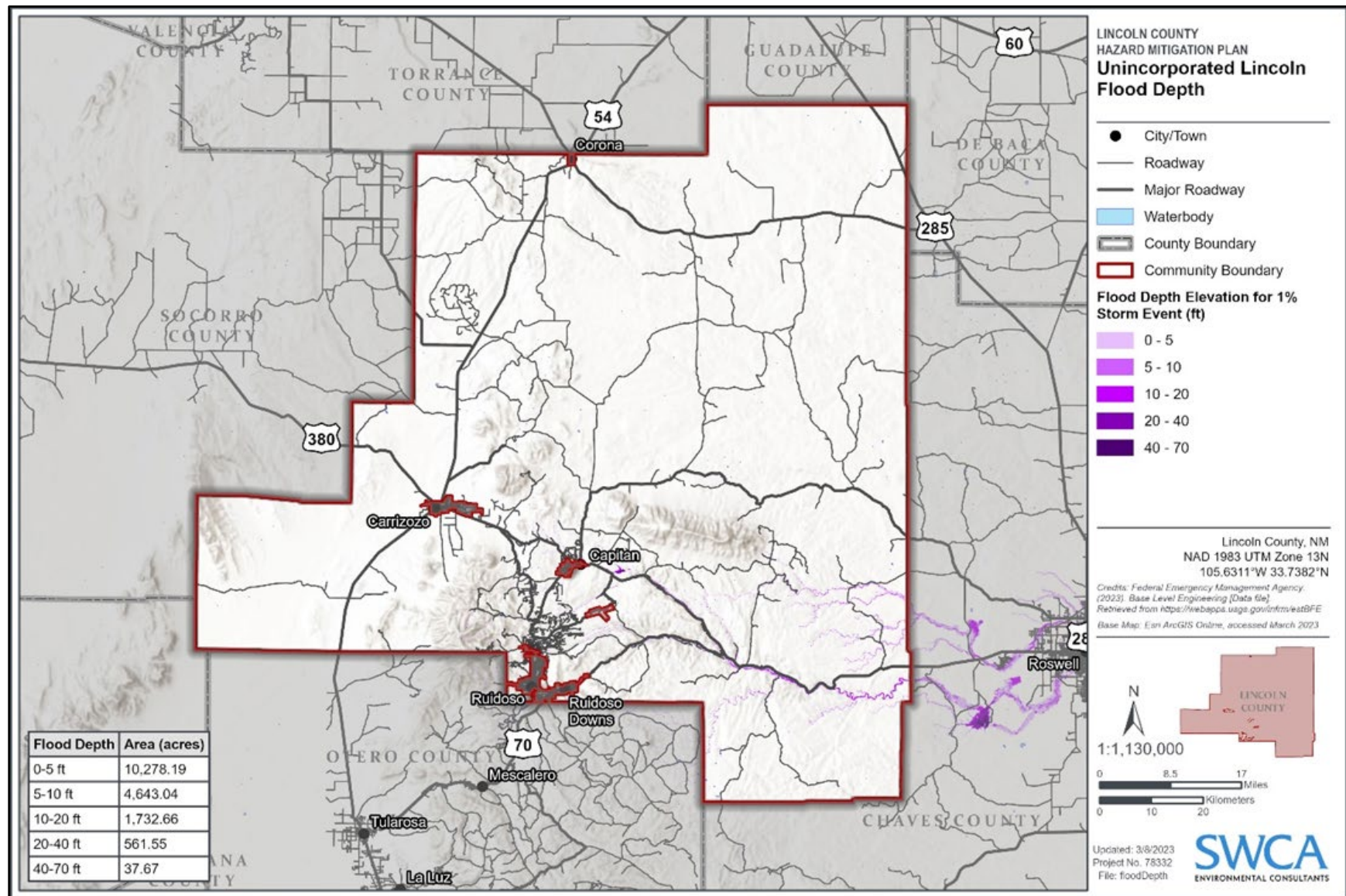


Figure 5-42: Flood Depth for Lincoln County



### Village of Ruidoso

Similar to Lincoln County, the Village of Ruidoso has the potential to be severely impacted by a flood event. For those who live or own property right on the Rio Ruidoso River or Bonito River, a large flood could have devastating consequences.

The severity of a flood impact to the Village of Ruidoso was shown by the 2008 flood when hurricane Dolly brought tropical moisture into New Mexico, dumping up to 7 inches of rain around the Village. This caused the Rio Ruidoso and Rio Bonito to rise well above flood stage and resulted in widespread and serious flooding around Ruidoso.

According to the FEMA Flood Insurance Study (2014), the following creeks and rivers in the Village of Ruidoso could reach the magnitude shown below:

- Carrizo Creek – 12 feet above the streambed,
- Cedar Creek – 10 feet above the streambed, and
- Rio Ruidoso – 20 feet above the streambed.

With water over 12 feet above the streambed, Carrizo Canyon would sustain severe damage with 102 homes and businesses destroyed or have major damage; Cedar Creek would have water over 10 feet above the streambed, causing street flooding and affecting low water crossings. Cedar Creek canyon is narrow and steep with many homes and the USFS office in harm's way. Approximately 25 homes would be inundated with floodwaters at some level. At least 14 of those homes would be significantly damaged or destroyed. The USFS office should have enough elevation to keep from having any floodwater reach the building during a 1% chance event.

Water will be over 20 feet above the streambed in the Rio Ruidoso. Rio Ruidoso canyon is the most populated area of all the waterways in the Village limits. Over 120 homes and businesses including seven public bridges would be in harm's way through the Rio Ruidoso Canyon. The Planning Team determined that 25% of those buildings would be severely damaged or destroyed.

In addition to the Flood Insurance Study for Ruidoso (2014), FIRMs, and flood hazard boundary-floodway maps, the Village of Ruidoso adopted a revision to the floodplain ordinance on May 20, 2022. Ordinance 2022-01 amends the Village of Ruidoso Municipal Code of Ordinance, Chapter 54, Article IV, Section 54-237: Basis for Establishing Areas of Special Flood Hazard. The amendment to the ordinance includes “additional resources can be used by the Floodplain Manager for the purpose of issuing a *floodplain permit or determining floodplain BFE's or other required floodplain determination elements*.

- Estimated Base Flood Elevation (estBFE) Viewer*
- Interagency Flood Risk Management (InFRM) tools*

The estBFE Viewer (available at <https://webapps.usgs.gov/infrm/estBFE/>) is an interactive web portal that includes estimate BFE, and approximate flood depths determined from gridded datasets constructed from engineering flood models. The flood data may be used in conjunction with the FIRMs. Additionally, the users of the estBFE viewer web portal could view the flood risk (high, moderate, low) throughout different watersheds in a user-specified area, which have been assessed using BLE methods (explained further in Section 5.3.2.1). Users of the estBFE viewer web portal should consult the effective FIRMs and coordinate with local community officials to review flood risk information in the area of concern.

In 2014, FEMA sponsored an initiative to allow various federal agencies to integrate and engage in communication across the following states: Texas, Oklahoma, New Mexico, Louisiana, and Arkansas. This initiative incorporated efforts from FEMA, USACE, USGS, and the NWS to partner and develop the group known as the inFRM team. Each of these agencies specialize in various elements of flooding and provide a variety of tools and/or products, for example: FEMA – standards, mapping products; USACE – watershed and planning studies, watershed regulation; USGS – water quantity and water quality monitoring and analysis; NWS – precipitation estimates, real-time forecasting, and precipitation products.

Figure 5-43 displays the flood hazard zones for the Village of Ruidoso. The Regulatory Floodways follows the Rio Ruidoso and other creeks or small channels that flow within the Ruidoso community boundary. This has an impact area of approximately 128 acres and can be shown in the turquoise color with red dashes. Anything outside the regulatory floodway is shown in a turquoise color for a 1% chance flood hazard or an orange color that has a 0.2% chance flood hazard. These flood hazard zones typically follow the same path as the regulatory floodway, they just exceed the boundaries. A 1% chance flood could impact approximately 204 acres and a 0.2% chance flood could impact approximately 49 acres.

Figure 5-44 displays the flood depth elevation for a 1% chance flood event within the Village of Ruidoso produced with Base Level Engineering as described in Section 5.3.2.1. The largest area impacted is approximately 274 acres and could have a flood depth between 0 and 5 feet. The area impacted with a 5- to 10-foot flood depth is approximately 26 acres. The smallest area impacted is approximately 2 acres and could have a flood depth between 10 and 20 feet. The majority of the areas have a flood depth impact of 0–5 feet and are shown in the lighter shade of purple and follow the Rio Ruidoso and smaller creeks. Based on mapped data, including non-regulatory data, and previous occurrences, the Village of Ruidoso is expected to have a flood extent ranging from 0–20 feet.

The Village also owns and operates the Sierra Blanca Regional Airport. The floodplain does not interfere or cross within the boundary of the airport. Therefore, there is no immediate risk of flooding occurring. Figure 5-45 displays the flood hazard zones for the Sierra Blanca Regional Airport.

There is no mapped flood depth for the Sierra Blanca Regional Airport due to the absence of any flood hazard occurring within this jurisdiction. However, there remains a 1% chance storm event for the 100-year flood event, if the Rio Bonito or Little Creek were to overflow and cross within the boundaries of this jurisdiction.

Figure 5-43: Flood Hazard for Village of Ruidoso

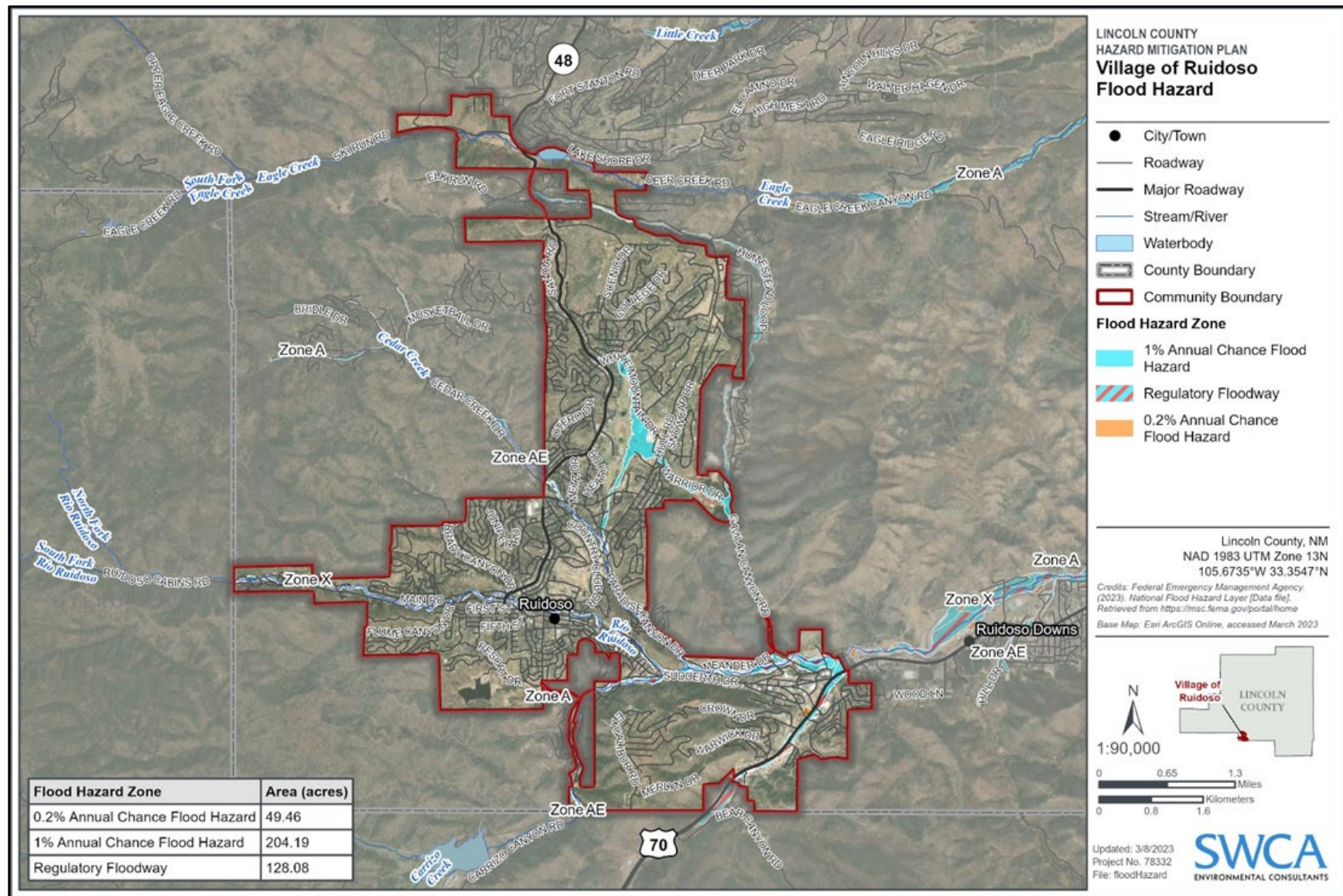


Figure 5-44: Flood Depth for Village of Ruidoso

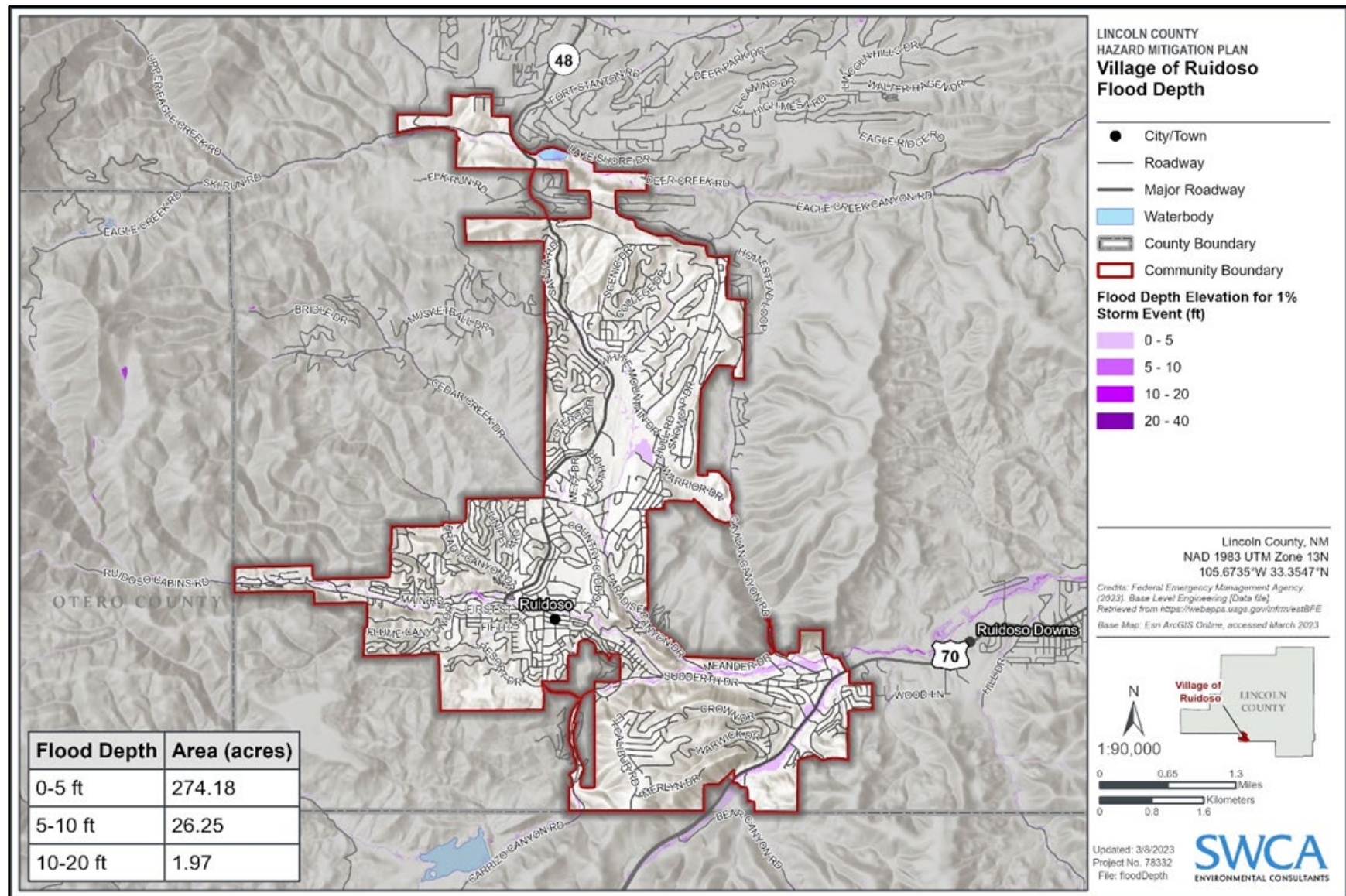
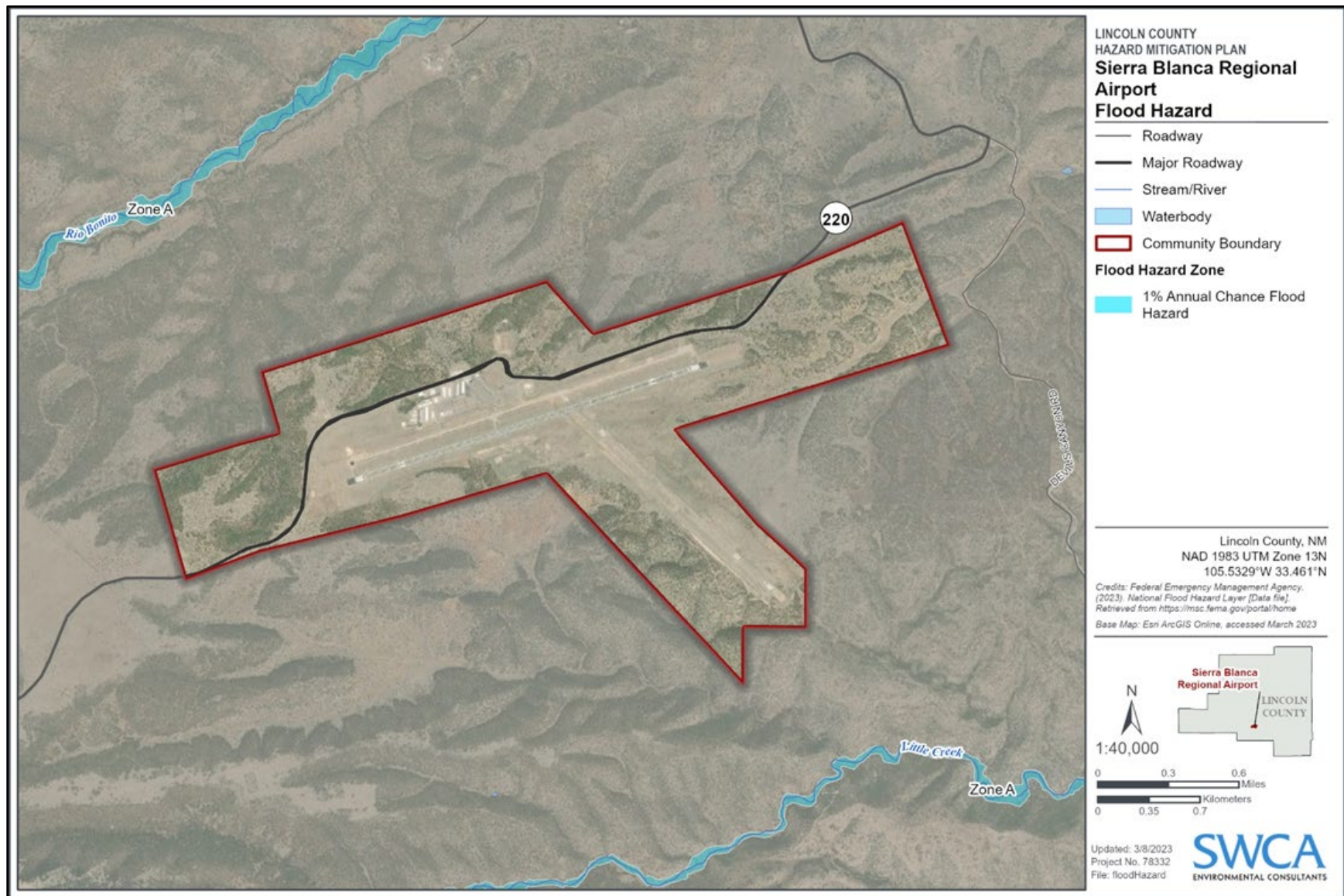


Figure 5-45: Flood Hazard for Sierra Blanca Regional Airport



### **City of Ruidoso Downs**

According to the FEMA Flood Insurance Study (2014), the following river in the City of Ruidoso would potentially reach the magnitude on the following, shown below:

- Rio Ruidoso – 10 to 20 feet above the streambed.

Approximately 89 homes were impacted by street flooding, low water crossings, and the Ruidoso Downs Racetrack would be inundated with floodwaters. According to the Planning Team, 25% of those structures would be severely damaged or destroyed.

Figure 5-46 displays the flood hazard for the City of Ruidoso Downs. The majority of the area impacted by a flood hazard zone falls just outside the regulatory floodway. This area follows along the Rio Ruidoso, has approximately 129 acres and is shown in turquoise. The regulatory floodway has a turquoise color with red dashes and impacts approximately 112 acres also following the Rio Ruidoso. The 0.2% chance flood zone impacts roughly 47 acres and is shown in orange on the figure.

Figure 5-47 displays the flood depth elevation for a 1% chance flood event within the City of Ruidoso Downs, produced with Base Level Engineering as described in Section 5.3.2.1. The largest area impacted is approximately 144 acres and could have a flood depth between 0 and 5 feet. The area impacted with a 5- to 10-foot flood depth is approximately 26 acres. The smallest area impacted is approximately 5 acres and could have a flood depth between 10 and 20 feet. Majority of the areas with a flood depth impact of 0–5 feet are shown in the lighter shade of purple and follow the Rio Ruidoso. Based on mapped data, including non-regulatory data, and previous occurrences, the City of Ruidoso Downs is expected to have a flood extent ranging from 0–20 feet.

Figure 5-46: Flood Hazard for the City of Ruidoso Downs

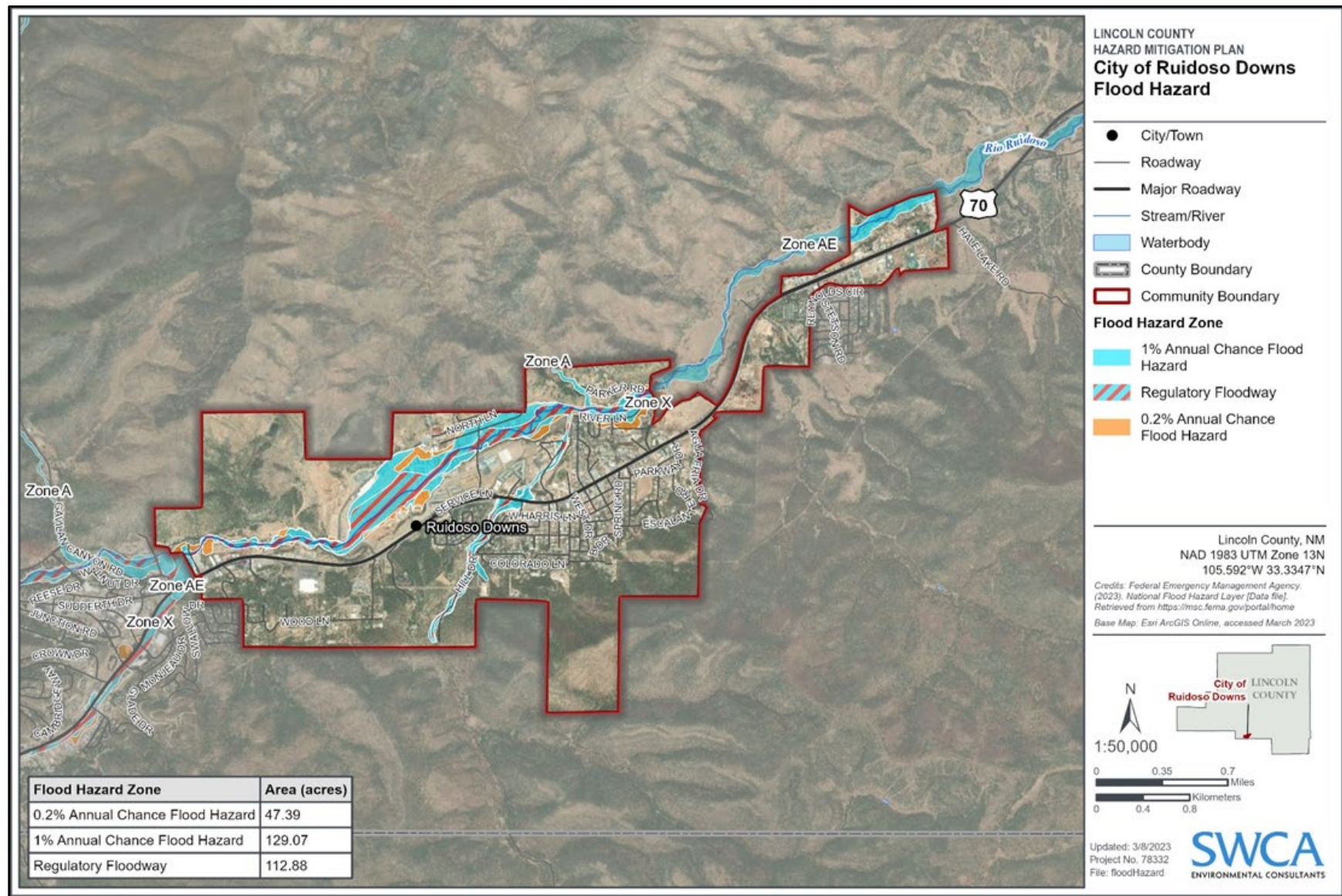
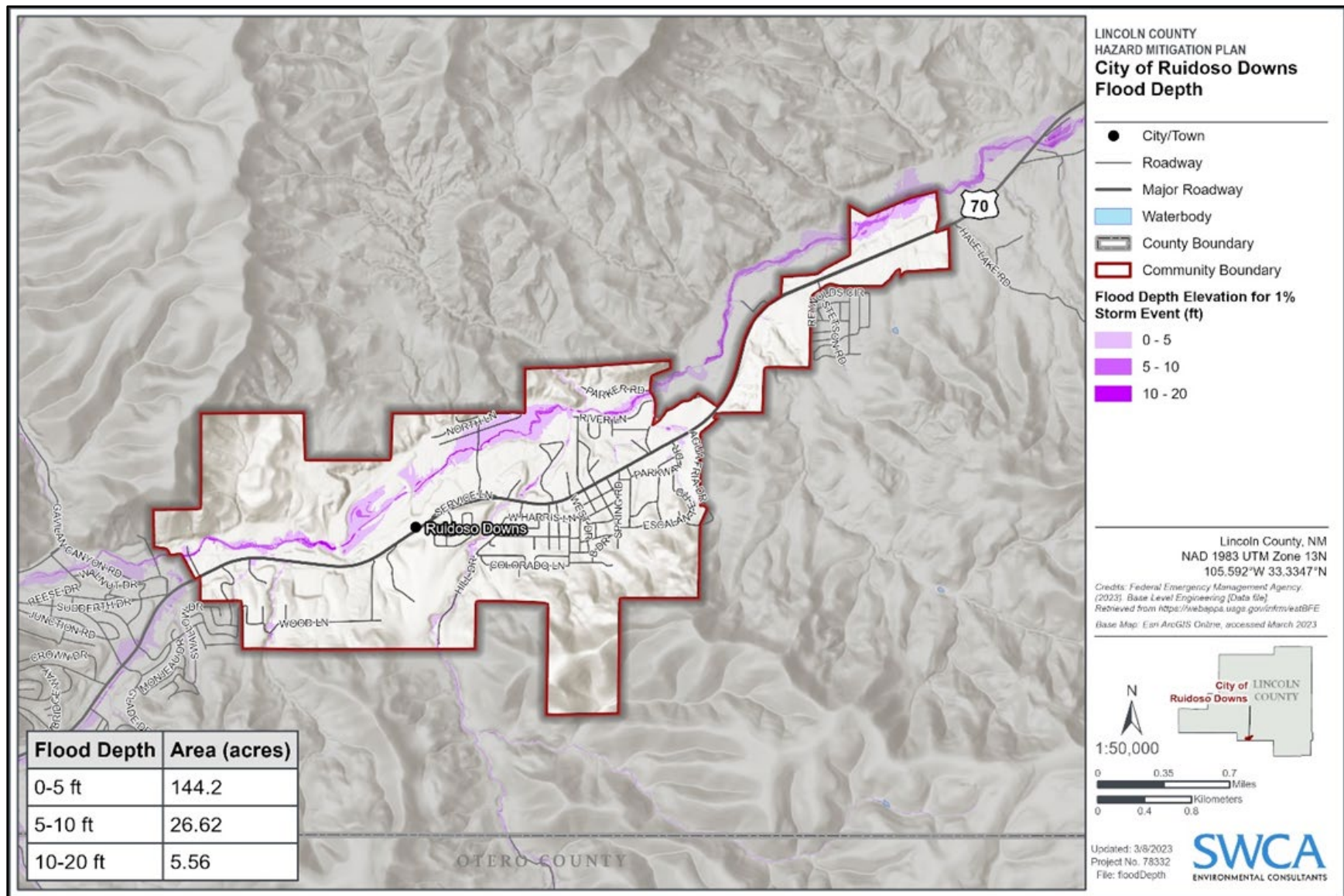


Figure 5-47: Flood Depth for the City of Ruidoso Downs



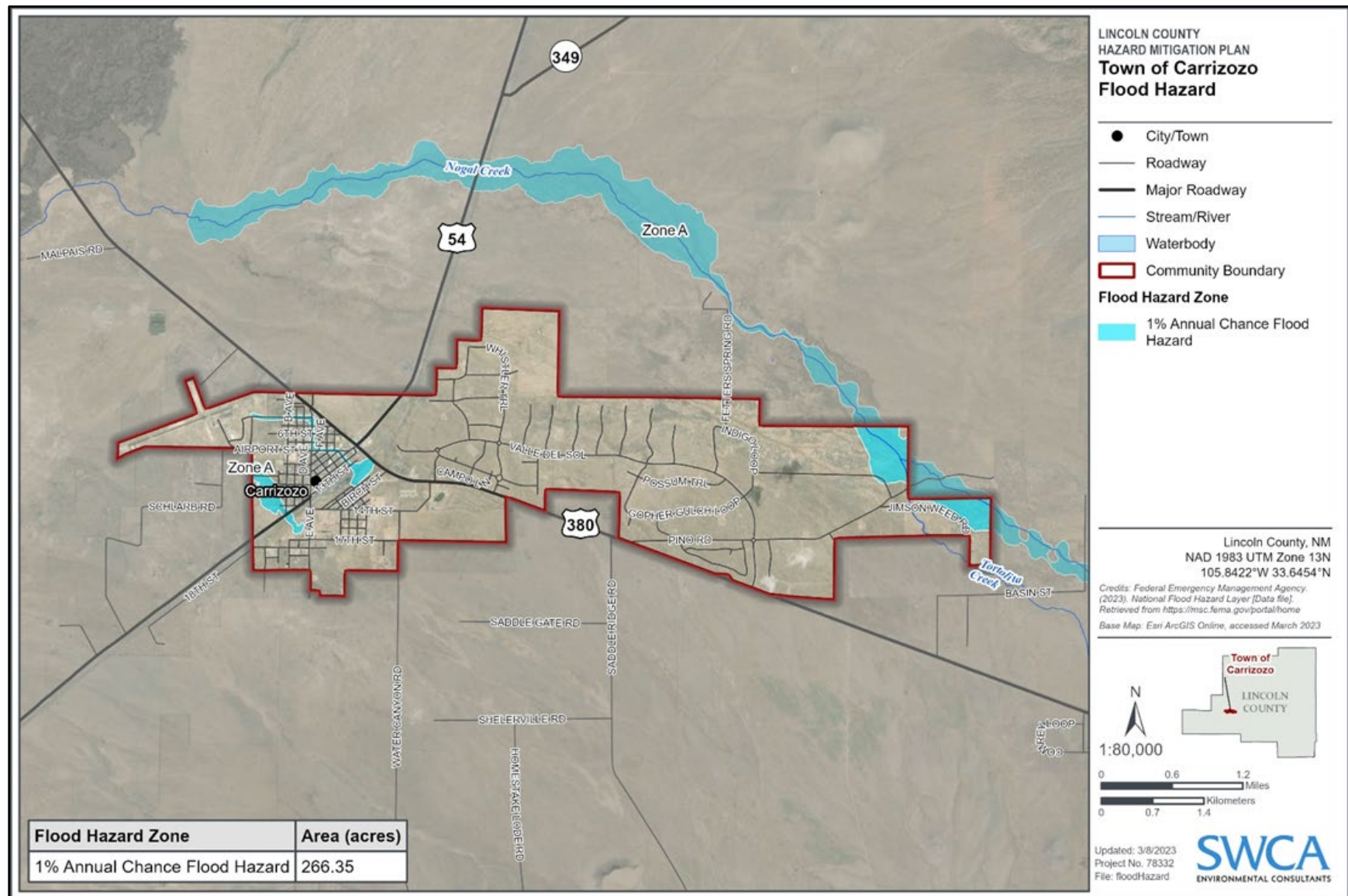
**Town of Carrizozo**

Figure 5-48 displays the flood hazard for the Town of Carrizozo. Throughout this jurisdiction there is an area (approximately 266 acres) that sees a 1% annual chance of a flood hazard occurring. There are two areas within the town that are flood hazard areas. There is also one area east of the town that is a flood hazard area due to the adjacent waters from the Nogal Creek. There are 0 acres of the regulatory floodway present in this jurisdiction.

Due to the low probability of an accumulation of flood depth occurring, there is no map displaying the flood depth for the Town of Carrizozo. Although, there is always that 1% chance storm event for the 100-year flood event. Extent of flooding anticipated is up to 12 inches based on the unnumbered A Zone as shown in Figure 5-48.

Carrizozo Planning Team Members report that the Court House and some businesses on Central Avenue had flood damages in the past. The Town was proactive in implementing an \$8.6 million highway improvement project to avoid future flooding of these structures. New Mexico Department of Transportation (NMDOT) funded the project, and it was completed in May 2023. A second street and drainage improvement project is being implemented to avoid flooding in Town Hall (intersection of 9<sup>th</sup> Street and Court Street). NMDOT is also funding this \$293,000 project with completion in the fall 2023.

Figure 5-48: Flood Hazard for the Town of Carrizozo



**Village of Capitan**

Figure 5-49 displays the flood hazard for the Village of Capitan. Throughout this jurisdiction there is an area (approximately 96 acres) that sees a 1% annual chance of a flood hazard occurring. There are no acres of the regulatory floodway present.

Figure 5-50 displays the flood depth elevation for 1% chance flood event for the Village of Capitan, produced with Base Level Engineering as described in Section 5.3.2.1. There is a presence of an area (approximately 8 acres) that displays 5-10 feet flood depth elevation for a 1% chance storm event east and southeast of the jurisdiction. There is also an area (approximately 26 acres) that displays 0–5 feet flood depth elevation for a 1% chance storm event. The anticipated flood extent for the Village of Capitan, based on mapped data, including non-regulatory data, and previous occurrences, ranges from 0 to 10 feet.

According to the Capitan Fire Chief, approximately 10 years ago there was one fatality when someone drove across a flooded arroyo and their truck was swept downstream.

Figure 5-49: Flood Hazard for the Village of Capitan

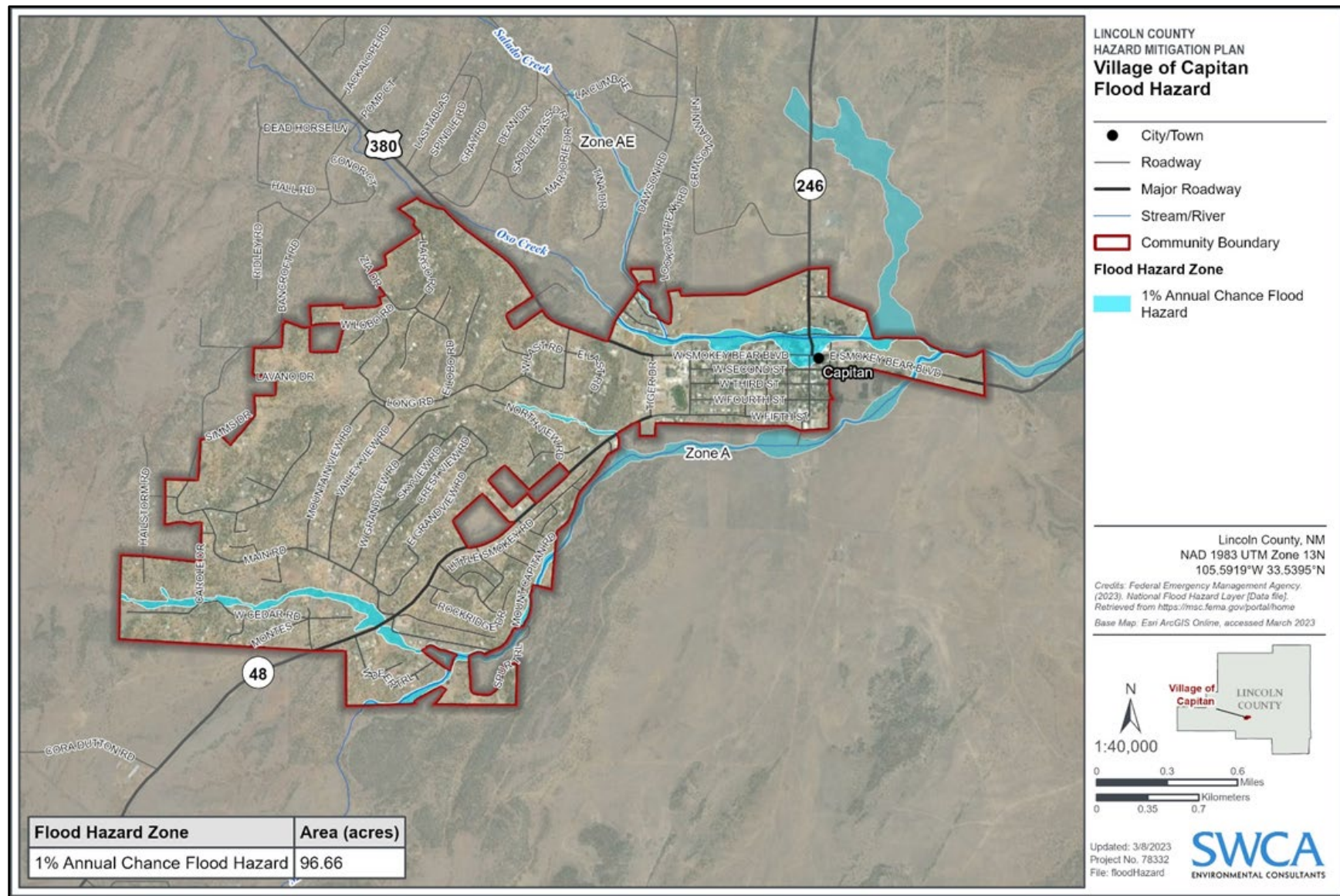
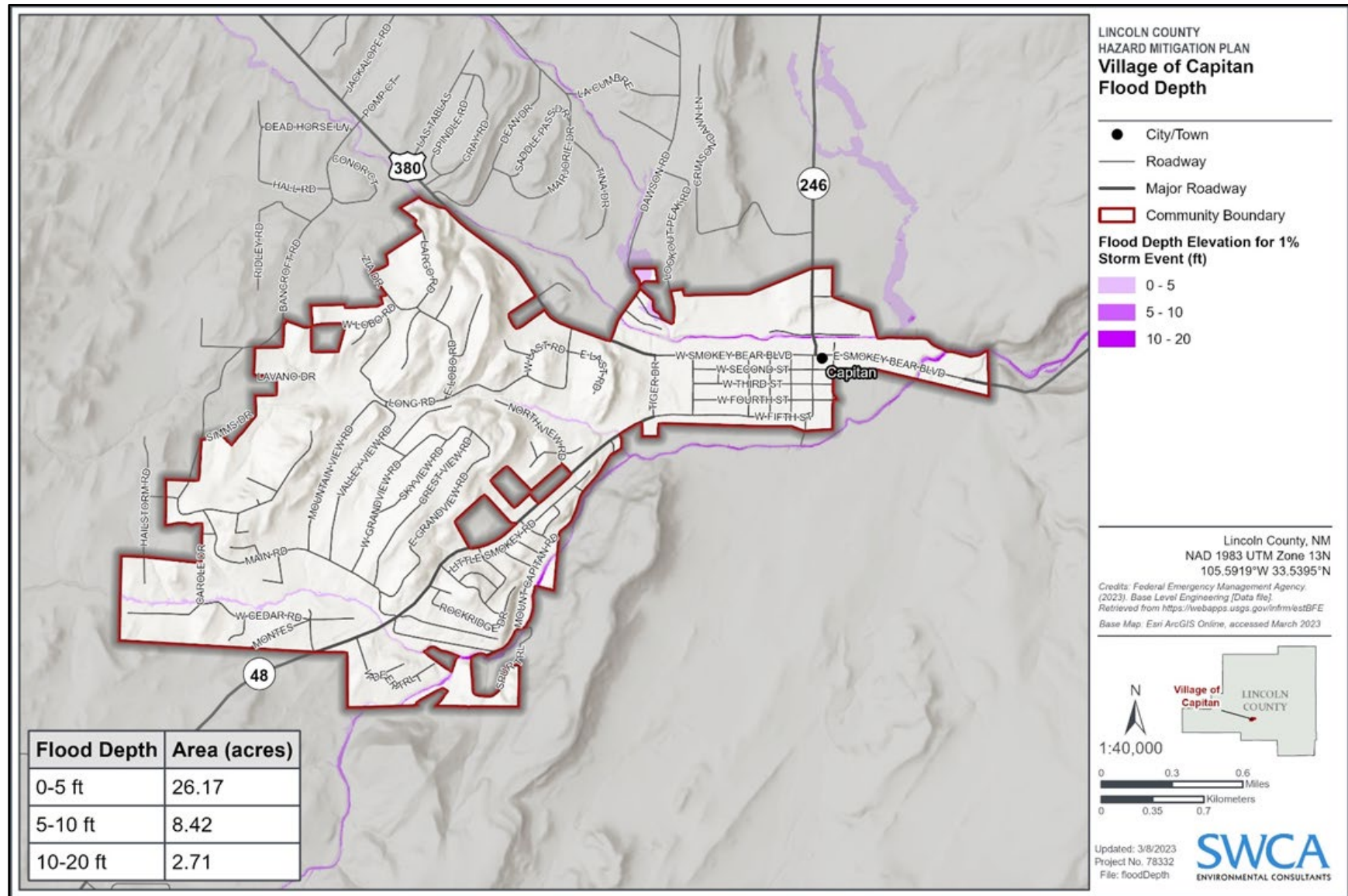


Figure 5-50: Flood Depth for the Village of Capitan

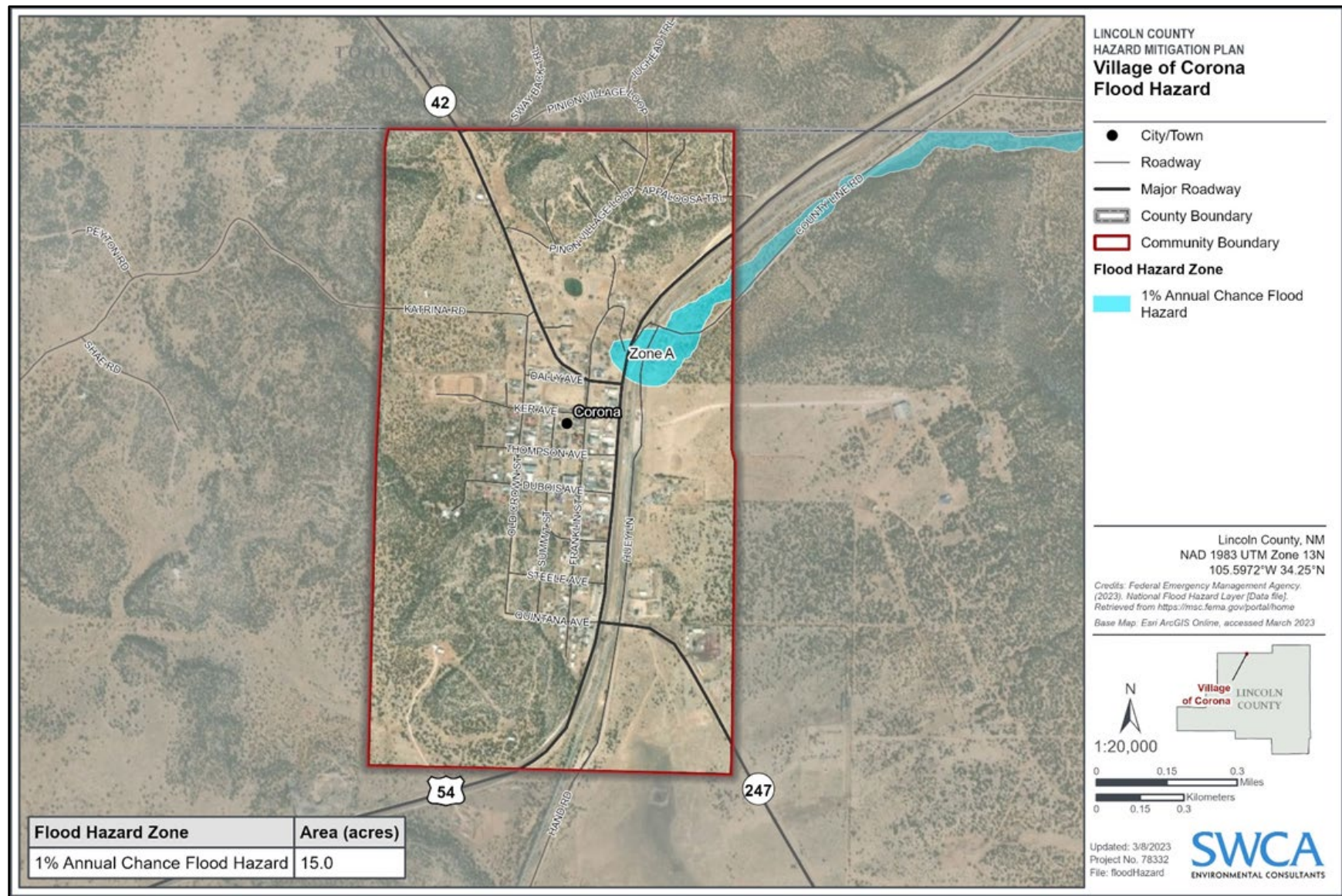


**Village of Corona**

Figure 5-51 displays the flood hazard for the Village of Corona. Throughout this jurisdiction there is an area (approximately 15 acres) that sees a 1% annual chance of a flood hazard occurring. There are 0 acres of the regulatory floodway present. Due to non-regulatory data not being available, there is no map displaying the flood depth for the Village of Corona. Although, there is always a 1% chance that Zone A will flood in any 365-day period. Flood extent for the Village of Corona is anticipated to be up to 12 inches based on the unnumbered A Zone as shown in Figure 5-48.

The Planning Team representative for the Village of Corona confirmed that there is no record of flooding and no damages, even though the NCEI includes a statement about '\$100,000' in damages (NOAA 2023a). Due to this lack of flood occurrence and impact, the Village chose to not profile flood. The Village considers flood to be a 'nuisance' hazard.

Figure 5-51: Flood Hazard for the Village of Corona



#### 5.3.2.4 Probability of Occurrence

When calculating Flood probability, the Planning Team agreed to use the PRI, explained further in Figure 5-110. Probability in Figure 5-52 below is calculated from the following criteria:

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for Flood, there were 27 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. For example, the analysis revealed that there was an increase in annual probability for the County, Ruidoso, Ruidoso Downs, and Capitan when reviewing the past six years of data in comparison to all 26 years of data. It is understood that record keeping has improved over the years and that annual probability over time as presented here may not be an accurate accounting.

**Figure 5-52: Flood Hazard Probability of Occurrence**

	Flood Hazard Probability Based on Previous Occurrence				
Jurisdiction	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 1996-2022	Annual Probability 1996-2022
Lincoln County	23	Highly Likely	100% (383%)	61	100% (226%)
Village of Ruidoso	20	Highly Likely	100% (333%)	25	93%
City of Ruidoso Downs	17	Highly Likely	100% (283%)	23	85%
Town of Carrizozo	0	Unlikely	0%	0	0%
Village of Capitan	3	Likely	50%	5	18%

#### 5.3.2.5 Climate Change Impacts

A major climate change concern pertaining to flooding is the cyclical nature of drought-wildfire-flood caused by disturbances to the water cycle. As discussed in the cascading events section, as the southwest generally trends toward aridification in the face of a changing climate, severe, long-lived drought will become more normal. This will cause declining forest health which will lead to more frequent, high intensity wildfires that strip the landscape of soil-supporting vegetation. Following fire and severe drought,

the soil will become hydrophobic leaving it extremely vulnerable to transport when storms move through the county. The reduction in water absorption potential creates ideal conditions for flash flooding.

Climate change is anticipated to result in more sporadic, large storm events that carry unpredictable amounts of precipitation. Storm cells are also anticipated to move slower in many cases, impacting larger areas as they move across the landscape. For Lincoln County, this will result in higher occurrences of flash flooding and sediment transport. With warming average temperatures, snowpack and winter storm occurrences are anticipated to decrease. This will result in earlier runoff and earlier occurrence of high elevation rain. These combined factors can overwhelm watersheds creating hazardous floodplain conditions. Additionally, continued flood events, particularly downstream of burn scars, can result in high accumulation of sediment that can reduce the effectiveness of dams, block culverts, and create blockages for storm water infrastructure. Continued sedimentation in channels and floodplains reduces their ability to slow and hold water. This exacerbates conditions for future flooding and reduces the amount of water that is absorbed into subsurface aquifers, reducing community water supplies.

All participating jurisdictions aside from Carrizozo and Ruidoso Downs experienced increased frequency of flood events during the assessment period compared to the recorded history which began in 1996. Unincorporated Lincoln County, Ruidoso, Capitan, and Corona all experienced an increase of at least 60% in flood frequency. Many factors are at play that can contribute to this increase including impervious surface development, floodplain alterations, natural climatic fluctuations such as La Nina and El Nino, and human-caused climate change. As discussed above, climate change has resulted in changes to the weather and water cycles that can cause an increase in flood events and flash floods.

### **Acequias**

The Planning Team deemed acequias as an important attribute to Lincoln County and agreed that acequias need to be recognized in the HMP. Acequias are vital to the County economic viability and critical entities to the success of agriculture in Lincoln County. Agriculture is a large economic engine for Lincoln County. The Planning Team agreed to include acequias in this plan because flooding, flash flooding, and wildfires impact acequias. Many of the past flood events have washed out dams, ditches and underground pipes belonging to acequia associations. The acequia representatives did not wish to mitigate any hazards at this time but later they will participate in the update meetings and bring necessary projects to the team for consideration.

Acequias encompass more than being community ditches, they are a way of life, providing a social structure on how to live harmoniously with the land and with one another. They are recognized under New Mexico law as political subdivisions of the state. Many of the state's acequia associations have been in existence since the Spanish colonization period of the seventeenth and eighteenth centuries. Historically, they have been a principal local government unit for the distribution and use of surface water. The associations have the power of eminent domain and are authorized to borrow money and enter into contracts for maintenance and improvements. The expenses associated with maintenance and improvements are the responsibility of the individuals who get water from the acequia association (New Mexico Office of the State Engineer [NMOSE] 2023).

There are 86 acequia associations in Lincoln County (see Appendix E). For the 2023 Update, the Planning Team agreed to utilize publicly available acequia data from the New Mexico Resource Geographic Information site (Earth Data Analysis Center 2023), plus consultation with the New Mexico Acequia Association, and the Upper Hondo Soil and Water Conservation District. The acequias are located in the drainages of Rio Bonito, Rio Hondo, and Rio Ruidoso. Each of these acequias consists of take-outs, retention ponds, dams, head gates, ditches, and similar.

The Rio Bonito begins in the Sacramento Mountains with many tributaries coming together at Bonito Lake. From the lake the Rio Bonito runs east through Ft. Stanton and on to a confluence with the Rio Ruidoso to form the Rio Hondo near Hondo, NM. Twenty Acequias are on the Rio Bonito from Government Spring to the confluence with the Rio Ruidoso. Numerous crops and livestock pastures are irrigated from the Rio Bonito acequias.

- The Rio Ruidoso begins in the Sacramento Mountains near Sierra Blanca and travels southeast from Sierra Blanca through the Mescalero Apache Reservation on to the Village of Ruidoso. From there the Rio Ruidoso travels east to the confluence with the Rio Bonito to form the Rio Hondo. There are 42 acequias on the Rio Ruidoso from Ruidoso to the confluence with the Bonito. Numerous crops and livestock pastures are irrigated from the Rio Ruidoso acequias.
- The Rio Hondo begins at the confluence of the Rio Bonito and the Rio Ruidoso and runs east to the county line. There are 18 acequias on the Rio Hondo from the confluence to the county line. Numerous crops and livestock pastures are irrigated from the Rio Hondo acequias.

### **5.3.3 Thunderstorms**

The Thunderstorm Profile includes a subsection on Thunderstorms, Lightning, and Hail.

#### **5.3.3.1 Description**

Thunderstorms are produced when warm air near the ground rises due to surrounding cooler air or geographic force such as a mountain. As the air rises, it eventually transfers this heat into the atmosphere and the water carried with it condenses and forms clouds. The cloud continues to grow and rise as it interacts with freezing upper atmospheric air. Once the cloud has accumulated sufficient water, it will begin to fall, creating a downdraft that pushes cold air outward from the storm. Generally, upper tropospheric “air mass” thunderstorms form on warm-season afternoons and are not severe. Dynamically driven thunderstorms, which generally form in association with a cold front or other regional atmospheric disturbance, can become severe, thereby producing strong winds, frequent lightning, hail, downburst winds, heavy rain, and occasional tornadoes. “Dry” thunderstorms are very common in the western U.S. including New Mexico. These events are characterized by rain that evaporates before reaching the ground and high lightning occurrences (NWS, 2022).

The NWS definition of a severe thunderstorm is a thunderstorm that produces hail 1 inch in diameter or more or winds gusting over 58 miles per hour (mph). Typical thunderstorms can be 3 miles wide at the base, rise to 40,000 to 60,000 feet into the troposphere, and contain 500,000 tons of condensed water. Severe thunderstorms are reported each year in all New Mexico counties.

As recently as 2022 with the McBride Fire which heavily impact the community, slope instability remains a concern. This not only creates hazards for low-lying areas, but also impacts the water quality and flow of the Rio Ruidoso. Dry canyons and arroyos will rise very rapidly during thunderstorm events. Many roads, culverts, bar ditches, and crossings are not adequate to deal with the high water that comes with thunderstorms. Public awareness of storm and flooding signs and notifications is critical to successfully mitigating thunderstorms.

For the purposes of storm reporting by NOAA, Lincoln County is often divided into four Public Forecast Zones: 1) Upper Tularosa Valley (Chihuahuan desert) which encompasses the community of Carrizozo, 2) South central mountains which contains Ruidoso, Ruidoso Downs, and Capitan, 3) South Central Highlands which includes Corona, 4) Eastern Plains and prairie (NWS 2023a). This zoning is done to account for differences in elevation and water proximity that may result in differences in observed

weather. Some previous events were recorded down to zone level. In those instances, it was assumed that the weather event impacted each community falling within that forecast zone unless specified otherwise.

### 5.3.3.2 Previous Occurrences

Thunderstorm frequency is measured in terms of incidence of thunderstorm days or days on which thunderstorms are observed. The NCEI reports 28 thunderstorm events since July 1989 causing zero deaths, zero injuries, and no recorded property damage (NOAA 2023a). Between 2017 and 2022, the NCEI recorded eight thunderstorm events resulting in no loss of life, injury, or property damage. In some instances, the NCEI records events in multiple hazard categories such as hail that occurred concurrently with a thunderstorm. For consistency, and to eliminate double counting, these occurrences were only counted once for each community that was impacted. It is also worth noting that some events correlated with other hazard events (a severe thunderstorm that caused flash flooding). In these instances, the event was recorded for each hazard and did not result in double counting and probability changes. Figure 5-53 includes the thunderstorm previous occurrence from January 1, 2017, through December 31, 2022. The previous occurrence listing for thunderstorms prior to January 1, 2017, is found in Appendix B-3; this is the same list that was shown in the 2018 HMP.

**Figure 5-53: Previous Occurrences of Thunderstorm per Jurisdiction, January 1, 2017, through December 31, 2022**

Location	Date	Detailed Description
Southwest Lincoln County Carrizozo	07/05/2017	A thunderstorm that developed along the Sacramento Mountains moved west off the high terrain into the Tularosa Valley. A mesonet site on White Sand Missile Range, on the western border of the county, reported a peak wind gust up to 61 mph as the boundary crossed the area. Mesonet sites are weather stations not federally owned that report data to the NWS.
Southwest Lincoln County	10/05/2017	Heavy rainfall impacted eastern New Mexico; 4 to 6 inches of rain fell within the Pecos Valley along the eastern edge of the county. Three-day total rainfall amounts of 3 to 8 inches were reported across eastern New Mexico including high wind and hail. The storms resulted in flooding in locations including at the southwest border of the county.
Southwest Lincoln County Carrizozo	07/31/2018	Severe thunderstorms that formed over the north-central part of the state moved south throughout the day and into the county. These storms produced large hail and heavy rainfall around Carrizozo. Wind gusts of 60-70 mph were recorded at the White Sands Missile Range.
South Lincoln County Ruidoso	05/14/2019	Isolated showers and thunderstorms developed over central and eastern New Mexico. Most of this activity produced little to no rainfall with very gusty winds. A dry microburst impacted the community of Alto during the early afternoon, just north of Ruidoso, and resulted in damage to one home. One homes roof was partially removed by the gusting wind.

Location	Date	Detailed Description
Oscura, Southwest Lincoln County Sierra Blanca Regional Airport, South Lincoln County	05/26/2019	Dry showers and thunderstorms with strong downburst winds first developed along the Continental Divide before moving east into the Rio Grande Valley. Showers and thunderstorms quickly became severe with large hail, high winds, and several tornados. West of Oscura reported gusts up to 74 mph during the event while Sierra Blanca Airport reported 60 mph winds.
Southcentral Lincoln County Ruidoso	08/21/2019	Two public weather stations in Ruidoso reported rainfall rates near 10 inches in 24 hours from a strong thunderstorm moving slowly east through the area. One station picked up 3.48 inches of rainfall in less than 1 hour, which resulted in minor flooding on the Rio Ruidoso and in Ruidoso.
Ruidoso	8/28/2019	A storm that formed over the Village of Ruidoso significantly impacted the region resulting in flooding. 2-3 inches fell in under an hour, overwhelming the soil and drain systems. Some areas near the village reported precipitation rates of about 1.5 inches in an hour as the storm moved east. This event is also noted in the flood section.
Carrizozo, West central Lincoln County	06/23/2020	Storms initially formed early in the afternoon over the northern high terrain of New Mexico before moving east-southeast into the Rio Grande Valley and eastern plains. The most intense thunderstorms were across the eastern plains where storms produced large hail and damaging winds. Sustained winds of up to 63 mph were recorded in Carrizozo.

Source: NWS (2023d).

### 5.3.3.3 Thunderstorm Extent

Thunderstorms may have different characteristics in different regions of the state. Across the eastern plains, thunderstorms tend to be more organized, long-lived, and occasionally severe, producing large hail, lightning, and tornadoes. Thunderstorms in the western part of the state tend to be less severe on average, occasionally producing life-threatening flash floods and small hail accumulations. This general trend is consistent with the thunderstorm events observed in the county. The western portion, including Ruidoso, Ruidoso Downs, Capitan, and Carrizozo, is often subject to down sloping thunderstorms that move west to east and can result in large precipitation totals in short periods of time. The eastern and northern portion of the county, including Corona, experiences storms more consistent with the eastern plains. Slower moving storms often originate over the central mountain range to the northwest of county before moving southeast with high amounts of wind. The extent of thunderstorms applies to all participating jurisdictions with multiple impacts including high wind (see Section 5.3.5.3), lightning (see Section 5.3.3.4), hail (see Section 5.3.3.5), and rain; the extent of which are discussed further in their respective hazard sections. Based on historic data, the extent of precipitation from thunderstorms ranges from 0 to 1.5 inches per hour for all participating jurisdictions. The extent of lightning ranges from a lightning activity level of 1–6 or zero to 100 strikes per hour for all participating jurisdictions. The extent of hail is accumulation ranges from 0 to 2.5 inches for all participating jurisdictions.

### 5.3.3.4 Lightning

#### Description

Lightning is defined as a sudden and violent discharge of electricity, usually from within a thunderstorm, due to a difference in electrical charges. Lightning is the flow of electrical current from cloud to cloud or cloud to ground. Nationwide, lightning causes extensive damage to buildings and structures, kills, or injures people and livestock, starts forest and wildfires, and disrupts electromagnetic transmissions. Lightning is extremely dangerous during dry lightning storms because people often remain outside rather than taking shelter. To the general public, lightning is often perceived as a minor hazard. However, lightning-caused damage, injuries, and deaths establish lightning as a significant hazard associated with any thunderstorm (Figure 5-54). Large outdoor gatherings such as sporting events, concerts, campgrounds, etc., are particularly vulnerable to lightning strikes. Many of the local golf courses have installed lightning awareness alarms that send out a siren when the conditions are right for lightning.

One type of lightning that is of the most concern is long continuity current lightning (LCC), often called “hot lightning”. LCC channels current into the ground or other grounding object for over 40 milliseconds and carries a large electrical charge. This type of lightning is associated with most wildfires that are ignited by lightning. When drought conditions exist during high lightning occurrence months, it is important to be conscious of the potential for wildfire.

Lightning can cause damage in four ways:

1. Electrocution or severe shock of humans and animals;
2. vaporization of materials along the path of the lightning strike;
3. fire caused by the high temperatures (10,000°F to 60,000°F); and
4. a sudden power surge that can damage electrical or electronic equipment.

**Figure 5-54: Lightning Activity Level (LAL)**

Lightning Activity Level	Cloud and Storm Development	Count of Cloud-to-Ground Strikes Every 5 Minutes	Average Cloud-to-Ground Strikes per Minute
1	No thunderstorms	-	-
2	Isolated thunderstorms. Light rain will occasionally reach the ground. Lightning is very infrequent, 1 to 5 cloud to ground strikes in a 5-minute period.	1-5	<1
3	Widely scattered thunderstorms. Light to moderate rain will reach the ground. Lightning is infrequent, 6 to 10 cloud to ground strikes in a 5-minute period.	6-10	1-2
4	Scattered thunderstorms. Moderate rain is commonly produced. Lightning is frequent, 11 to 15 cloud to ground strikes in a 5-minute period.	11-15	2-3

Lightning Activity Level	Cloud and Storm Development	Count of Cloud-to-Ground Strikes Every 5 Minutes	Average Cloud-to-Ground Strikes per Minute
5	Numerous thunderstorms. Rainfall is moderate to heavy. Lightning is frequent and intense, greater than 15 cloud to ground strikes in a 5-minute period.	>15	>3
6	Dry lightning (same as LAL 3 but without rain). This type of lightning has the potential for extreme fire activity and is normally highlighted in fire weather forecasts with a Red Flag Warning.	-	-

Source: NWS (2023g).

### **Previous Occurrences**

The NCEI's first record of a severe lightning storm is from July 1997 and since that date, three lightning events have been recorded resulting in one death, three injuries, and \$25,000 in property damage (NOAA 2023a). The single death occurred in unincorporated Lincoln County and the individual was struck while riding their motorcycle. Between 2017 and 2022, zero severe lightning events were recorded. Although no lightning events were recorded with the NCEI, it is assumed that cloud to ground lightning strikes occur at a much higher rate. The national lightning detection network, which uses remote sensing to monitor lightning activity, indicates that Lincoln County averages 18 lightning strikes per kilometer per year (Vaisala 2022).

### **Lightning Extent**

NOAA, with data from Vaisala, a private nationwide lightning detection service, has developed a lightning frequency of occurrence calendar to highlight the most lightning prone times of year based on lightning data from 1988 to 2022 (NOAA 2022). The months of June through September have the highest likelihood of lightning strikes in the county. Beginning on June 1, the county has experienced a cloud to ground lightning strike on up to 80% of days. By August 1, this percentage has reached 100 and near the end of September, the percentage dips below 50. The highest frequency of flashes occur in the afternoon and early morning has the fewest occurrences. This information is recorded and graphed on the county scale. The extent of lightning, based on Figure 5-54, ranges from a lightning activity level of 1–6, depending on the time of year for each participating jurisdiction.

Details on community specific lightning occurrence and frequency were not available from this source and it is assumed the frequency and seasonality of this hazard is consistent throughout the county. Figure 5-55 below displays the frequency of recorded lightning strikes from 1988-2017 (NOAA 2022). The frequency is recorded in terms of the number of years where a cloud to ground strike was recorded at that time of day. NOAA also graphs total ground to lightning strikes on each day but a graphic for that is not included for the purposes of this HMP. Between 1988 and 2017, 1.1 million lightning strikes have been recorded in the county. July 16 through the 22<sup>nd</sup> has the highest total number of recorded strikes with over 75,000 strikes recorded in that week over the 29 years of recording. During the winter months, generally from November 15- March 15, the county experiences its lowest occurrence of lightning and less than 10 cloud to ground strikes are expected each month during that period. The week of December 15- 21 has one of the lowest total strikes with 56 recorded over 29 years. It should be noted that the technology and recording methods for these figures is still experimental. Assessments of lightning hazards based on these

figures should be done with some reservation and understanding of the nuanced factors that create hazardous lightning conditions. Current weather and meteorological storm predictions should always be consulted when making decisions related to safe weather conditions.



**Figure 5-56: Combined NOAA/ TORRO Hailstorm Intensity Scales**

Size Code	Intensity Category	Typical Hail Diameter (inches)	Approximate Size	Typical Damage Impacts
H0	Hard Hail	Up to 0.33	Pea	No damage
H1	Potentially Damaging	0.33 to 0.60	Marble or Mothball	Slight damage to plants, crops
H2	Potentially Damaging	0.60 to 0.80	Dime or grape	Significant damage to fruit, crops, vegetation
H3	Severe	0.80 to 1.20	Nickel to Quarter	Severe damage to fruit and crops, damage to glass and plastic structures, paint and wood scored
H4	Severe	1.2 to 1.6	Half Dollar to Ping Pong Ball	Widespread glass damage, vehicle bodywork damage
H5	Destructive	1.6 to 2.0	Silver dollar to Golf Ball	Wholesale destruction of glass, damage to tiled roofs, significant risk of injuries
H6	Destructive	2.0 to 2.4	Lime or Egg	Aircraft bodywork dented, brick walls pitted
H7	Very destructive	2.4 to 3.0	Tennis ball	Severe roof damage, risk of serious injuries
H8	Very destructive	3.0 to 3.5	Baseball to Orange	Severe damage to aircraft bodywork
H9	Super Hailstorms	3.5 to 4.0	Grapefruit	Extensive structural damage. Risk of severe or even fatal injuries to persons caught in the open
H10	Super Hailstorms	4.0+	Softball and up	Extensive structural damage. Risk of severe or even fatal injuries to persons caught in the open

Sources: TORRO (2023)

### **Previous Occurrences**

The NCEI reports show that 126 hail events have occurred since 1962 which resulted in \$101,000 in property damage but no direct deaths or injuries (NOAA 2023a). Figure 5-57 below describe the hail events, per participating jurisdiction, that occurred between January 1, 2017, and December 31, 2022, according to the NCEI. The NCEI reports multiple occurrences for events that impact multiple communities and events that include multiple hazards (i.e., hail and thunderstorms occurring simultaneously). In these instances, the event was categorized based on which hazard has a higher probability of causing damage. Thunderstorm events that included hail were counted singularly as hail events due to the higher likelihood of damage from hail.

**Figure 5- 57: Previous Occurrences of Severe Weather Hail per Jurisdiction, January 1, 2017, through December 31, 2022**

Location	Date	Detailed Description	Magnitude
Southwest Lincoln County, Capitan	06/06/2017	Storms developed over the high terrain in the central part of the state producing showers and hail between pea and golf ball sized. Accumulation was several inches in places. US380, east of Capitan received golf ball sized hail.	1.75 in
Capitan	06/07/2017	A continuation of storms moving eastward from the central mountains impacted the southwest portion of the county. Several inches of quarter and golf ball sized hail accumulated near Capitan.	1 in
Southeast and south-central Lincoln County	06/25/2017	Showers and thunderstorms moved westward across the county following a heatwave period. Hail up to nickel size impacted the south-central portion of the county.	0.88 in
Southcentral Lincoln County	06/26/2017	Storms originated over the central mountains. The county was not heavily impacted, but penny sized hail briefly fell north of Ruidoso.	0.75 in
Ruidoso, south central Lincoln County	07/01/2017	Storms moved westward and gained intensity over the central mountains before moving southeast. Ruidoso and east of the village received hail up to nickel size.	0.88 in
Corona, Northeast Lincoln County	08/09/2017	Storm cells from the east and warm air moving north to form storms over the east-central plains. Marble to nickel sized hail fell with minor accumulations.	0.88 in
Corona, Ruidoso, Southcentral and southeastern Lincoln County	05/21/2018	Storms formed near Albuquerque before shifting south and heavily impacting Lincoln County, hitting Corona, Ruidoso, and other small towns. Golf ball size hail accumulated up to 1 foot in the south-central part of the county and continued to move eastward.	1.75 in
Southeast Lincoln County	05/22/2018	Storms formed over the southeastern portion of the county and produced quarter to egg sized hail. Some reports along US380 noted tennis ball sized hail.	2.5 in
Ruidoso, Southeast Lincoln County	06/21/2018	Slow moving storms produced hail across much of the southeastern portion of the county. Storms reached as far west as Ruidoso although the main impact was more eastern with golf ball sized hail reported.	1.5 in
Carrizozo	07/31/2018	Thunderstorms began over the northern high terrain in the state before moving south. The storm moved off the high terrain to produce hail up to quarter sized. RVs and skylights were damaged in town from the storm.	1 in

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
Southeast Lincoln County	06/01/2019	Moisture than began in southern California moved east and formed larger storms over central New Mexico. The southeastern portion of the county was heavily impacted, and quarter sized hail was reported on US380.	1 in
Southeast Lincoln County	06/03/2019	Similar to storms in previous days, moisture moving east lingered over the eastern portion of the county. Half dollar sized hail fell in the southeast corner.	1.25 in
Southwest Lincoln County	06/04/2019	Storms stemming from southern California continued to impact the county. The storms dropped moisture soon after dropping off the central mountains and impacted the southwest portion of the county. Nickle sized hail was reported near Bonito Lake and the surrounding valley region.	0.88 in
Southcentral Lincoln County, Ruidoso	07/31/2020	Strong storms formed over the north central portion of the state before moving south. Ruidoso received quarter sized hail with heavy rain that caused flooding.	1 in
Southcentral Lincoln County, Capitan	05/22/2021	Thunderstorms formed over the south-central highlands and mountains. These storms mostly moved north, but still impacted the county. Capitan reported penny sized hail and surrounding areas reported up to golf ball sized.	1.5 in
Northeast and east-central Lincoln County, Corona	05/28/2021	Storms moved southeast- east across the state producing severe thunderstorms, hail, and tornadoes. Nickle sized hail was reported in Corona and accumulated to 2 inches in some areas east of town. The storm continued to move southeast, impacting the east-central portion of the county. This event is also noted in the flood section.	0.88 in
Southeast and southcentral Lincoln County	05/30/2021	Severe thunderstorms were the main component of this storm cell that lingered over the southern portion of the state. Hail and heavy precipitation resulted in flooding in the county, damaging vehicles and homes. One individual drowned in the south of the county. Nickel to golf ball sized hail was reported in multiple areas.	1.75 in
Southeast and southcentral Lincoln County	06/01/2021	Storms continued to form along the eastern edge of the central mountains impacting the southeast portion of the county. Nickle sized hail was reported on state Highway 368 as storms moved east.	0.88 in
Southern Lincoln County, Carrizozo	07/11/2021	Thunderstorms formed over the norther portion of the state and moved south before dropping off the high terrain into the eastern plains. Hail up to an in in diameter fell in Carrizozo. Larger hail was reported east in the southeast corner of the county.	2 in

Location	Date	Detailed Description	Magnitude
Southcentral Lincoln County	07/25/2021	Central and Western New Mexico were heavily impacted by scattered storms. Although severe rain was the main storm impact, hail up to nickel sized fell in communities in south central Lincoln County.	0.88 in
West central Lincoln County	06/02/2022	High terrain thunderstorms moved south along the range producing high wind and abundant hail. Penny sized hail was reported along the western border- into central Lincoln County.	0.75 in

Source: NWS (2023d). <https://www.ncdc.noaa.gov/stormevents/>

### **Hail Extent**

In Lincoln County, hail occurs most frequently during spring and summer. May, June, and July have the highest percentage of hail events according to the NWS. Once the summer monsoon starts, hail carrying thunderstorms often develop in the afternoons and evenings. All regions of the county are subject to hail events and have experienced hail over 1.5 inches in diameter and seen accumulation over 6 inches. Mountainous areas usually see more storms than the plains and desert, although mountain storms tend to be less severe and produce smaller hail. In the plains and over the desert, monsoon thunderstorms sometimes reach severe levels and can produce large hail over 2 inches. Throughout the county, hail extent ranges from H0 to H5. Individual community extent is described below.

### **Thunderstorm, Lightning, Hail Location and Extent per Participating Jurisdiction**

#### **Lincoln County**

The County uses a reverse 911 “Code Red” to notify the public of an approaching storm. Continuous public outreach is required to let the public know what to do to mitigate their homes against the effects of a thunderstorm. Most golf courses require golfers to seek cover during a thunderstorm.

According to the NCEI, Lincoln County had eight severe thunder and lightning storm events between January 2017 and December 2022 (NOAA 2023a). These events caused no recorded damage and caused no reported injuries or deaths. Once the summer monsoon starts, thunderstorms often develop in the afternoons and evenings. Mountainous areas usually see more storms than the plains and desert, although mountain storms tend to be less severe. According to the County Emergency Management Director, the May 30, 2021, thunderstorms included 3 to 4 inches of rain in a 2 to 3 hour period in the Bonito and Rio Hondo watersheds. This was very unusual, especially prior to monsoon season. At US70 mile marker 308/309 the flood water over-topped the highway which was closed for 2 hours. The Director had never seen such high flow rates.

According to the NCEI, Lincoln County had 22 reported hail events between January 2017 and January 2023 (NOAA 2023a). There were no reported deaths or injuries, but \$25,000 of property damage was reported. This was primarily from a storm in July 2018 quarter sized hail damaged RVs, homes, and vehicles. The extent for hail in the unincorporated county ranges from H0 to H5.

#### **Village of Ruidoso**

Thunderstorms are frequent in the Village of Ruidoso during the summer months of May, June, and July. Most thunderstorms in the mountains are less severe and duration than the ones in the other parts of the county. The most severe thunderstorms typically build over the mountains and travel east into the plains.

In August of 2019, a severe thunderstorm formed over the village before moving slowly east. The storm averaged 2 to 3 inches per hour, but some areas reported rates up to 10 inches per hour. This flooded the Rio Ruidoso and caused minor flooding through town. Flash flooding, including as a result of deVere thunderstorms, is described in further detail in the flood profile.

Between January 2017 and December 2022, three hail events impacted the village but cause no reported property damage, injuries, or deaths. One of the most severe events occurred on May 21, 2018, when large storm cells moving south east from Albuquerque impacting most of the southcentral region of the county. Hail up to the size of golf balls fell in the Ruidoso area and accumulated up to 1 foot. Size of hail during the reporting period ranged from pea sized to golf ball and accumulated to 1 foot or more on at least two occasions. During this same period, the village experienced one severe thunderstorm event that caused no damage, injury, or death.

Many of the local golf courses have installed lightning awareness alarms that send out a siren when the conditions are right for lightning. Most of these golf courses require the golfers to seek cover during a thunderstorm. Per Figure 5-54, the extent of lightning activity level for the Village of Ruidoso ranges on the LAL scale from level 1–4. Per Figure 5-56, extent of hail in the Village of Ruidoso ranges from H0 to H4.

### **City of Ruidoso Downs**

Ruidoso Downs Racetrack is in the City of Ruidoso Downs and has had high water during thunderstorms. The Racetrack has lightning sensors/sirens to notify the public of an approaching thunderstorm so they can seek shelter as storms approach.

No significant thunderstorms were recorded in the village between 2017 and 2022, however it is expected that heavy rain impacted the area due to its proximity to the central Sacramento mountains. Storms frequently move southeast across the range before moving onto the high plains which results in rain and high winds. In late August of 2019, a large storm moved through the region producing up to 3 inches per hour of rain with gusting winds. This storm impacted the village and caused minor flooding in the Rio Ruidoso. Per Figure 5-54, the extent of lightning activity level for the City of Ruidoso Downs ranges on the LAL scale from level 1–4.

Due to its proximity to the Village of Ruidoso, Ruidoso Downs is impacted by many of the same storm systems and is often included with the Village in event reporting. Ruidoso Downs was subject to two severe hail events during the 6-year planning period that resulted in no deaths, injuries, or reported property damage. On May 21, 2018, severe thunderstorms heavily impacted Ruidoso Downs and the surrounding area with golf ball sized hail accumulating up to 1 foot. On multiple occasions, hail accumulation has been reported on the highways east of and north of the village which can create a driving hazard. Per Figure 5-56, extent of hail in the City of Ruidoso Downs ranges from H0 to H5.

### **Town of Carrizozo**

Carrizozo and Ruidoso are the only incorporated towns assessed in this plan that experienced a severe thunderstorm as defined and recorded by the NCEI (NOAA 2023a). In late June of 2020, a large storm cell formed over the northern mountains before moving southwest into the Rio Grande Valley. The storm impacted the town in the afternoon, bringing hail, rain, and winds consistently over 63 mph.

Dry arroyos and canyons can rise significantly and quickly during a thunderstorm event. Public awareness is critical to ensure the public is prepared for the hazards of thunderstorms. Thunderstorms cause flash/sheet flooding through town.

According to the NCEI, Carrizozo experienced two severe hailstorms during the 2017-2022 planning period (NOAA 2023a). Carrizozo was the only examined community with reported property damage, totaling \$25,000. No injuries or deaths related to hail were reported during this time period. The storm that resulted in this damage occurred on July 31, 2018, when severe storms formed over the northern mountain ranges before bringing moisture and wind down on the high plains. Nickle sized hail fell consistently and at a high rate, resulting in the damage mentioned above. Per Figure 5-56, extent of hail in the Town of Carrizozo ranges from H0 to H5. In that same 6-year assessment period, the town experienced one severe thunderstorm that did not cause any damage, injuries, or deaths. Per Figure 5-54, the extent of lightning activity level for the Town of Carrizozo ranges on the LAL scale from level 1–4.

### **Village of Capitan**

Due to recent year's wildfires many fire-scarred landscapes are prone to sheet flooding during thunderstorms. This not only creates hazards in unsuspecting low-lying ground, but also impacts the water quality and flow of the Magado and Salado creeks through Capitan. The 2020 Darn Canyon Fire is an example of a recent event that will have lasting effects on erosion and storm water. Dry canyons and arroyos will rise very rapidly during thunderstorm events. During thunderstorms water funnels off of the highways and floods the streets in the Village. An engineering study is needed to determine the best way to mitigate storm water coming from the highway. The Village of Capitan Public Works Department has mitigated against thunderstorm runoff adequately throughout the years and has significantly reduced the threat to life and damages. Per Figure 5-54, the magnitude of lightning for the Village of Capitan is anticipated to experience storms rating 1-4.

Prior to the relocation of the joint high school/ middle school, the building would flood following large storm events. The school board moved the location to a more resilient location to prevent future flooding of the high school during thunderstorms. The elementary school floods during thunderstorms, the roof leaks causing black mold, and needs to be replaced or repaired.

Per Figure 5-56, extent of hail in the Village of Capitan ranges from H0 to H3. Capitan is one of the hardest hit communities in terms of hailstorm occurrences. This is a result of the village's location; Capitan is often impacted by storms that move from the west, dropping from the central mountains on to the southcentral part of the county as well as storms moving west that often gain severity as they move across the eastern Sacramento Mountains and funnel through the valley. Four severe hailstorms were reported to have impacted the village and the surrounding area between January 2017 and December 2022. These storms did not result in any deaths, injuries, or property damage that was reported. The most severe of these storms occurred on June 7, 2017, when storms moving southeast channeled through the valley and heavily impacted Capitan, resulting in several inches of golf ball sized hail accumulation. No thunder or lightning storms were reported in the village during the assessment period.

### **Village of Corona**

Thunderstorms frequently occur in June, July, and August with the wettest month being August. Thunderstorms in the Central Highlands are less severe and duration than the storms in the eastern and southern parts of the county and often are more of a hazard due to wind. Thunderstorms can also cause flash flooding through the Village which is highlighted in the flood section.

During the period of January 2017 through December 2022, there were no recorded occurrences of severe thunderstorms in Corona. However, the village is known to be subject to storms moving south-southeast from the central mountain ranges onto the eastern plains. Caution should especially be taken

during thunderstorms that occur during and following severe drought periods when soil is dry, and flooding and erosion issues arise. Per Figure 5-54, the extent of lightning activity level for the Village of Corona ranges on the LAL scale from level 1–4.

Although Corona is not heavily impacted by an abundance of hailstorms, the village does experience some extreme events as large storms move south- southeast from the central mountain range. From the beginning of 2017 to the end of 2022, three severe hail events were reported by NCEI that resulted in no deaths, injuries, or property damage (NOAA 2023a). On August 9, 2017 and May 28, 2021, storms moving south through the county dropped nickel sized hail on the village and the surrounding areas and accumulated up to 2 inches. A major concern for the area is hail accumulation mixed with severe wind on the highways that can make driving conditions dangerous. Per Figure 5-56, extent of hail in the Village of Corona ranges from H0 to H3.

### **5.3.3.6 Probability of Occurrence**

When calculating the probability of severe weather (thunderstorm, lightning, hail), the Planning Team agreed to use the PRI, explained further in Figure 5-110. Probability in Figure 5-58 below is calculated based on the number of years in the last six that the hazard occurred.

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for thunderstorm, there were 61 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. For example, the analysis revealed that there was an increase in annual probability for all participating jurisdictions when reviewing the past six years of data in comparison to 60 years of data. It is understood that record keeping has improved over the years and that annual probability over time as presented here may not be an accurate accounting.

**Figure 5-58: Thunderstorm Probability of Occurrence**

	<b>Thunderstorms Probability Based on Previous Occurrence (Including Lightning and Hail)</b>				
<b>Jurisdiction</b>	<b>Past Occurrences 2017-2022</b>	<b>Probability 2017-2022 (Used in PRI)</b>	<b>Annual Probability 1962-2022</b>	<b>All Recorded Occurrences 1962-2022</b>	<b>Annual Probability 1962-2022</b>
Lincoln County	28	Highly Likely	100% (466%)	112	100% (184%)

	Thunderstorms Probability Based on Previous Occurrence (Including Lightning and Hail)				
Jurisdiction	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 1962-2022	All Recorded Occurrences 1962-2022	Annual Probability 1962-2022
Village of Ruidoso	4	Likely	67%	18	30%
City of Ruidoso Downs	2	Possible	33%	7	11%
Town of Carrizozo	3	Likely	50%	10	16%
Village of Capitan	4	Likely	67%	12	20%
Village of Corona	3	Likely	50%	8	13%

### 5.3.3.7 Climate Change Impacts

A high number of storms impacting the county result from storm cells moving eastward from the pacific. Storms generally become more intense as they move across the mountain ranges to the west of the county. As the climate warms, the evapotranspiration rates increase, bringing more water vapor into the atmosphere where it forms and grows storm cells. This leads to large, intense storm events that are less predictable in terms of their area coverage and precipitation totals. Additionally, polar regions of the globe are warming at a faster rate than lower latitudes which is altering the speed and size of global wind patterns. This creates the opportunity for far larger storm cells that move more slowly across a landscape, causing long-lived, intense storms. Variable, large storms intermixed with periods of extreme heat and drought also create flash flooding concerns as topsoil dries and becomes easily eroded by heavy precipitation. As discussed above, there is strong evidence to show that climate change creates a higher potential for wildfires, especially high intensity events. As landscapes dry under drought conditions, vegetation becomes more easily ignitable. It is important to consider this when communities are experiencing drought conditions and lightning flashes are high. Additionally, there is evidence that shows that as surface temperatures rise, it aids storm updraft. Updraft is the exchange of hot air into the atmosphere that forms storm cells. Higher rates of updraft, associated with warmer surface temperatures, allow for more LCC lightning. This increase in high ignition lightning strikes, paired with a drought-stricken landscape, can be extremely hazardous.

All assessed communities saw an increase in the frequency of thunder, lightning, and hail events over the 6-year assessment period when compared to the previous occurrence records which began in 1962. It is important to consider the potential impacts of climate change on this increase in frequency while also considering natural temporal fluctuations such as El Nino and La Nina. As discussed above, climate change may impact the severity and frequency of storms as it has disrupted global air and water cycles that play a critical role in how storms develop, move, and how long they persist.

## 5.3.4 Winter Storms

### 5.3.4.1 Description

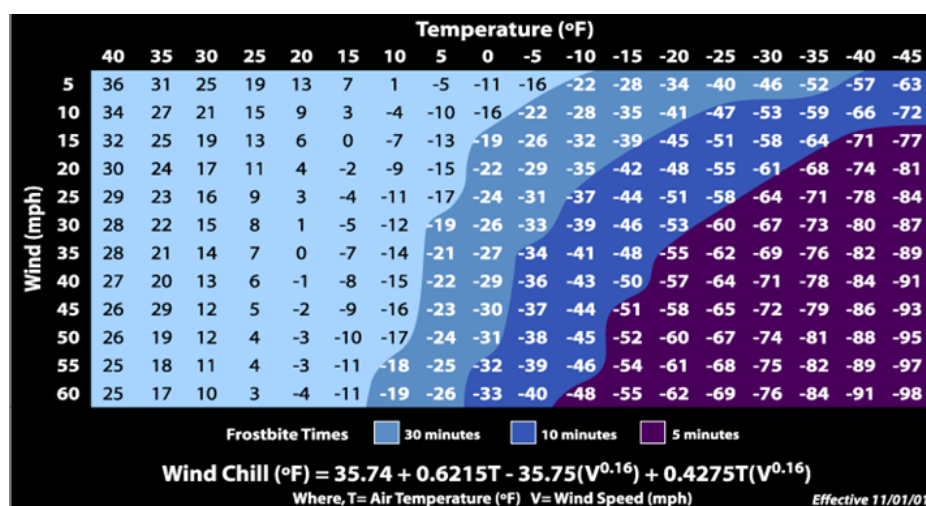
Severe winter storms can vary in size and strength and include heavy snowstorms, blizzards, ice storms, freezing drizzle or rain, sleet, and blowing and drifting snow. Extremely cold temperatures accompanied by strong winds result in potentially lethal wind chills.

A variety of weather phenomena and conditions can occur during winter storms. The following are NWS-approved definitions of winter storm elements (NWS 2023e):

- **Heavy snowfall** - the accumulation of 4 or more inches of snow in a 12-hour period or 6 or more inches in a 24-hour period.
- **Blizzard** - the occurrence of sustained wind speeds in excess of 35 mph accompanied by heavy snowfall or large amounts of blowing or drifting snow for 3 hours or longer. These events generally cause visibility to drop to 0.25 mile or less.
- **Ice storm** - an occurrence where rain falls from warmer upper layers of the atmosphere to the colder ground, freezing upon contact with the ground and exposed objects near the ground.
- **Freezing drizzle/freezing rain** - the effect of drizzle or rain freezing upon impact on objects that have a temperature of 32°F or below.
- **Sleet** - solid grains or pellets of ice formed by the freezing of raindrops or the refreezing of largely melted snowflakes. This ice does not cling to surfaces.
- **Wind chill** – A measure of the effect of increased wind in freezing conditions accelerating heat loss from exposed skin. Wind chill becomes especially dangerous to human health when temperatures are at –20°F or below.
- **Snow Squall** – Intense periods of moderate to high snowfall with high winds that are limited in duration but result in rapidly falling temperatures and whiteout conditions.

The wind chill temperature is a measure of how cold the wind makes real air temperature feel to the human body. Since wind can dramatically accelerate heat loss from the body, a blustery 30°F day would feel just as cold as a calm day with 0°F temperatures. The NWS released a scientifically accurate equation, which is used for calculating wind chill. (Figure 5-59: Please note that it is not applicable in calm winds or when the temperature is more than 50°F.)

Figure 5-59: Wind Chill Chart



Source: NWS (2023f).

A severe winter storm for Lincoln County as defined by the NWS is 4 or more inches of snowfall below 7,500 feet elevation or 6 or more inches of snowfall above 7,500 feet elevation in a 12- hour period, or 6 or more inches of snowfall below 7,500 feet elevation or 9 inches of snowfall above 7,500 feet elevation in a 24-hour period.

Most winter precipitation in New Mexico is associated with Pacific Ocean storms as they move across the state from west to east. As the storms move inland, moisture falls on the coastal and inland

mountain ranges of California, Nevada, Arizona, and Utah. If conditions are right, the remaining moisture falls on the slopes of New Mexico's high mountain chains.

Hazards related to winter storms and heavy snow include freezing temperatures, reduced visibility, disrupted travel from slippery and impassable roads, and damage to roofs, trees, and power and phone lines from the weight of snow accumulation.

The mountainous areas of Lincoln County are more likely to receive snow and cold than the plains and desert, but residents of high-altitude areas are more likely to be prepared for these conditions, even if they become extreme. Severe winter weather is much more likely to have a serious impact on major population centers and transportation routes, most of which are not located in the high mountains. The plains and desert areas are more susceptible to high winds that contribute to the drifting of snow, and experience more freezing events that begin with fog and drizzles. These events are especially hazardous as they cover the highways in ice making travel dangerous. During the reporting period, major highway closure in the county was reported on three occasions.

On average, the unincorporated county and the assessed communities receive at least one or two severe winter storms per year. Heavy snow and ice can paralyze a town's infrastructure and services, stranding commuters, and disrupting emergency and medical services. Accumulations of heavy snow and ice can also cause roofs to collapse and knock down trees and power lines.

The average annual snowfall ranges from about 5 inches in the southern desert and southeastern plains to more than 70 inches in the mountains west of Ruidoso. Average annual snowfall for most of the county is between 5 and 20 inches per the NWS. January is usually the coldest month, with average daytime temperatures ranging from the mid-30s °F in the central highlands and mountains to the mid-40s °F for the eastern plains. Temperatures below freezing are common in all sections of the county during the winter. Subzero temperatures are rare, except in the mountains (NWS 2023d).

#### **5.3.4.2 Previous Occurrences**

The NCEI has reported 10 severe winter storm events in Lincoln County between January 2017 and December 2022 (NOAA 2023a). These storms did not result in any injuries or deaths. One event on January 6, 2017, resulted in \$25,000 in property damage although an additional \$80,000 in damages was reported in Ruidoso by the Planning Team during the 2018-2019 winter. Figure 5-60 shows the previous occurrences of severe winter storms per participating jurisdiction from January 1, 2017, through December 31, 2022. The previous occurrence listing for winter storms prior to January 1, 2017, is found in Appendix B-4; this is the same list that was shown in the 2018 HMP.

Six events are listed in the figure and many of the recorded storms impacted multiple jurisdictions. Each impacted participating jurisdiction is listed where it was impacted by a storm. The NCEI records of severe winter weather begin in 2009 and since that date, there have been 49 recorded events in the county (NOAA 2023a). These events have caused a total of \$1,325,000 in property damage.

NCEI records snow and winter weather events according to weather forecast zones: 1) Upper Tularosa Valley (Chihuahuan desert) which encompasses the community of Carrizozo, 2) South central mountains which contains Ruidoso, Ruidoso Downs, and Capitan, 3) South Central Highlands which includes Corona, 4) Eastern Plains and prairie (NOAA 2023a). Five of the six recorded severe events occurred fully or partially in the South-Central Mountains regions.

**Figure 5-60: Previous Occurrences of Winter Storms per Jurisdiction, January 1, 2017, through December 31, 2022**

Location	Date	Detailed Description	Magnitude
Southcentral Mountains Ruidoso Ruidoso Downs Capitan	01/06/2017	A cold airmass moved southwest impacting most of the state. Wind chill on the eastern plains reach -20°F to -30°F. Freezing temperatures mixed with snow accumulation of 3-4 inches created hazardous travel conditions across the county. \$25,000 in property damage was reported, mostly from car accidents.	3-4 in.
South Central Mountains Ruidoso Ruidoso Downs Capitan	01/15/2017	Moisture moving northeast into the state combined with a cold front over much of the high terrain in the state. The storm began as freezing rain and began freezing as the day progressed, but accumulation and road impact were low. East of the Sacramento mountains received snow between 3 and 6 inches.	3-6 in.
Southcentral Mountains Ruidoso Ruidoso Downs Capitan	01/20/2017	A slow-moving winter storm moved east across the county with high winds and snow. Ruidoso and communities to the northwest were most heavily impacted. Travel north of Ruidoso was heavily impaired.	2-15 in.
South Central Mountains Ruidoso Capitan South Central Highlands Upper Tularosa Valley	12/26/2018- 12/27/2018	A storm moving from the Four Corners region gained size as it moved over the central mountains. Another cold front moved west at the same time and created a larger storm that dropped 12-18 inches in the south and southwest region of the county. Ruidoso had the largest snow totals with 30 inches falling in the area.	12-30 in
Eastern Lincoln County	12/28/2018	A storm moving southeast through the state combined with cold, west moving winds to impact the eastern portion of the county. 6-12 inches were reported in Corona and more eastern communities.	6-12 in
Eastern Lincoln County Ruidoso	03/04/2019	A winter storm that originated over the pacific moved east into the state. Freezing fog and drizzle shifted to snow as the storm moved south. Roads into Ruidoso from the east were closed and high terrain areas of the county received between 6 and 13 inches of snow. The eastern portion of the county was most heavily impacted by road closures due to ice.	0-13 in

The above figure includes only severe winter weather events from the 2017-2022 planning period. The below events occurred before this time period but were included at the request of the Planning Team due to their significance.

In December 1997, a series of heavy snow events produced totals of 15 to 30 inches across eastern and central New Mexico just before Christmas. Periods of light snow actually began about the 20th and

then intensified during the 22nd through the 25th as tropical moisture began to feed a large, nearly stationary upper-level low over southwest New Mexico. Lincoln County experienced road closures that lasted 2 weeks, into January. The total damages, including that of other counties, exceeded \$6.5 million but indirect damages exceeded \$20 million.

Two days into February 2011, an arctic cold front moved across the county and delivered subzero temperatures to the county. The front originated over the arctic ocean east of Canada on January 30 and slowly moved south, following the eastern edge of the Rocky Mountains. By February 1, the arctic front was centered to the northwest of the county where it interacted with other storm fronts and jet streams, spreading the storm across the southern half of the state as well as north Texas and eastern Arizona. The Southcentral Mountains and Tularosa Valley were most heavily impacted with temperatures on February 2 falling to between  $-20^{\circ}\text{F}$  and  $-30^{\circ}\text{F}$  degrees. The Southcentral Highlands and Eastern County were less heavily impacted, although temperatures still reached single digits and Corona, which is in the highlands, dropped to 19 below. Freezing temperatures caused power outages and broken pipes for many residents in the county and caused infrastructure shutdowns for gas and water services. Freezing temperatures lingered throughout the county for several days following the initial subzero temperatures.

In December 2015, heavy snow and high winds caused widespread damage and difficult travel conditions in much of eastern Lincoln County through the 30th. Snowfall amounts averaged 12 to 15 inches. The entire stretch of Interstate 40 from Albuquerque to Amarillo was shut down for nearly 36 hours. A Civil Emergency was declared for Quay, Curry, Roosevelt, De Baca, Chaves, and eastern Lincoln County as dozens of motorists were stranded in their vehicles in 6 to 10 foot snow drifts. Department of Public Safety assisted a total of 455 motorists. Emergency response personnel were even stranded trying to reach these motorists. Residents were blockaded in their homes with drifts up to the top of roofs. Xcel Energy reported power outages in at least 14,200 residences across eastern New Mexico and at least 30,000 residential disruptions during the storm. Numerous trees and power lines were downed as well as several structures due to the weight of heavy snow. Snowfall accumulations of 15 to 30 inches were common from the central mountain chain eastward across much of the plains. Ski Apache reported 41 inches. Department of Agriculture reported around 12,000 adult milking cows perished in the storm and between 30,000 and 50,000 young livestock died.

#### **5.3.4.3 Location and Extent per Participating Jurisdiction**

##### **Lincoln County**

Lincoln County has experienced 10 heavy snow and winter storm events between January 2017 and December 2022. The most severe event occurred at the end of December 2018 when snow and extreme winter conditions were present in the county for 3 days. Some areas and communities in the mountains had snow accumulation up to 30 inches, although totals for most areas ranged from 6-12. This storm originated over the central mountain range near Albuquerque before moving southeast into the county. The storm impacted all assessed communities from Corona in the north to Ruidoso and Ruidoso Downs in the south. The extent for winter storms in the county is anticipated to range from moderate to heavy snow, 1 to 15 inches based on previous occurrence data.

##### **Village of Ruidoso**

Winter storms are common in the village, but emergency services and residents are generally well prepared. Due to its proximity to the high mountains, snow accumulation can be large, ranging from 1-30 inches, on extreme occasions. During the assessed period, one of the heaviest daily and monthly snow totals occurred for the village. The winter of 2018-2019 saw a number of winter storm events with the three-

day storm at the end of December 2018 having the largest impact. During this event, snow totals reached 30 inches in some higher terrain areas while 8-14 was the most common accumulation total. This resulted in road closures around the city, the most impactful was the closure of Highway 48 which moves north-south through Ruidoso. During the assessed period of January 2017- December 2022, four winter storms and snow events were reported in the city. Although no deaths or injuries occurred, at least \$80,000 in property damage was reported by the Planning Team for the 2018-2019 season. Winter Storm extent for the village is anticipated to range from 0 to 30 inches of snow accumulation based on previous occurrence data.

### **City of Ruidoso Downs**

Due to its proximity to the village of Ruidoso, Ruidoso Downs is impacted by many of the same storm systems. Ruidoso Downs was subject to three severe winter storm events during the 6-year planning period that resulted in no deaths, injuries, or reported property damage. Similar to the other communities within the southcentral mountain climatic area, the city received accumulating snow from the storms that passed through the county on December 26 through December 28, 2018. Snow accumulation totals for the city ranged from 4-12 inches and travel in the area was hindered and completely cut off at times. US70 was intermittently closed which is the main travel route in and out of the Ruidoso Downs. The extent of winter storms is anticipated to range from 3 to 30 inches of snow accumulation based on previous occurrence data.

### **Town of Carrizozo**

The town lies at an elevation of 5,400 feet, and the transition from desert basin to high plains grassland occurs on the northern end of town. Typical snowfall lasts a day or two, but severe snowstorms periodically close US54 and Highway 38 which cross through town, stranding travelers on the road, forcing Carrizozo to provide shelter. This becomes an economic burden every year that the town must handle. During the period of 2017 to 2022, the town of Carrizozo was impacted by one severe winter storm. This event began on December 26, 2018, but did not reach the town until the following day. Snow accumulations reached 4 to 8 inches, and the storm closed US54 and US380 outside of town. During the assessed period, no deaths, injuries, or property damage were reported as a result of winter storms. The extent for winter storms in Carrizozo is anticipated to range from moderate to heavy snow ranging from 1 to 15 inches based on previous occurrence data.

### **Village of Capitan**

Between January 2017 and December 2022, the village was impacted by four winter storm events. NCEI reports no deaths, injuries, or property damage as a result of these storms (NOAA 2023a). One example of a severe event in the community was the long-lasting winter storm that occurred at the end of December 2018. Capitan and the surrounding area saw snow accumulations between 3 and 8 inches and roads were intermittently closed during this period causing delays in travel or blocking travel in the southwest portion of the county all together. The extent for winter storms in Capitan is anticipated to range from moderate to heavy snow ranging from 1 to 10 inches based on previous occurrence data.

### **Village of Corona**

One severe winter storm event was reported by the NCEI for the Village of Corona during the assessment period (NOAA 2023a). These storms did not cause any property damage, deaths, or injuries. The most extreme conditions experienced by the village during this period occurred on December 28, 2018, as part of a 3-day storm that impacted the county. Accumulation ranged from 6 to 12 inches in Corona and the surrounding areas with extreme winds and freezing being the main storm hazard. Low visibility,

blowing snow, and icy conditions caused the closure of US54 south of the village. The extent for winter storms in the Village of Corona is anticipated to range from moderate to heavy snow ranging from 1 to 10 inches based on previous occurrence data.

#### 5.3.4.4 Probability of Occurrence

When calculating severe weather winter storm probability, the Planning Team agreed to use the PRI, explained further in Figure 5-110. Probability in Figure 5-61 below is calculated based on the number of years in the last six that the hazard occurred.

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for Winter Storms, there was 14 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. For example, the analysis revealed that the annual probability over 14 years was higher for all participating jurisdictions. It is understood that record keeping has improved over the years and that Annual Probability over time as presented here may not be an accurate accounting.

**Figure 5-61: Winter Storm Probability of Occurrence**

Jurisdiction	Winter Storms Probability Based on Previous Occurrence				
	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 2009- 2022	Annual Probability 2009-2022
Lincoln County	10	Highly Likely	100% (166%)	50	100% (357%)
Village of Ruidoso	4	Likely	67%	20	100% (143%)
City of Ruidoso Downs	3	Likely	50%	19	100% (136%)
Town of Carrizozo	1	Possible	17%	8	57%
Village of Capitan	4	Likely	67%	22	100% (157%)
Village of Corona	1	Possible	17%	19	100% (136%)

#### 5.3.4.5 Climate Change Impact

The major impact of climate change on snow and winter storms is the elevated average temperatures associated with early season snow melt and reduced snowpack. This will reduce water availability through the year as snowpack that would generally melt slowly, feeding streams and creeks, instead runs off soon after precipitating. This is not only a problem for downstream communities that rely on runoff to fill reservoirs for a stable water supply, but also for riparian and forest vegetation communities that are dependent upon healthy watersheds with consistent base flow. The tourism industry can also be harmed by earlier runoff and decreased snowpack as the winter season is cut shorter and snow conditions diminish. Attractions such as Ski Apache could experience a shorter season and reduced visitation. Winter storms are expected to become less of a hazard as climate change continues to impact storm systems and natural system function. This is noted by the New Mexico Bureau of Geology 2022 Climate Change Outlook, the 2021 New Mexico Interagency Climate Change Task Force progress report, and the 2018 NCA.

All jurisdictions in Lincoln County experienced a decrease in the frequency of observed severe winter storms between 2016 and 2023 when comparing this period to the recorded history. This change in frequency is in line with the anticipated impacts of climate change on winter storms. Higher annual average temperatures correlate with a shorter winter season when severe storms are expected. Storm events that may have historically resulted in snow could result in rain instead while elevated temperatures reduce the likelihood of snow accumulation and freezing events.

### 5.3.5 High Wind

#### 5.3.5.1 Description

Wind is the motion of air relative to the earth's surface. In the mainland U.S. the mean annual wind speed is reported to be 8 to 12 mph, with frequent speeds of 50 mph and occasional wind speeds more than 70 mph. Large-scale extreme wind phenomena are experienced over every region of the United States and its territories. High winds can occur during a severe thunderstorm, with a strong weather system, or can flow down a mountain. When winds are sustained at 40-50 mph, isolated wind damage is possible.

Typically, high winds occur when large air masses of varying temperatures meet. Rapidly rising warm moist air serves as the "engine" for severe thunderstorms, tornadoes, and other windstorm events. These storms can occur singularly, in lines or in clusters. They can move through an area very quickly or linger for several hours. While scales exist to measure the effects of wind, they can be conflicting or leave gaps in the information. For the purposes of this plan, we use the Beaufort Wind Scale (see Figure-65) because it is specifically adapted to wind effects on land.

Downbursts occur when storm clouds move across a land scape bring air downward with precipitation where the air spreads out across the ground. A derecho is the extreme extent of a downburst where an area of 240 miles or larger is impacted and gusts reach at least 58 mph. Frontal winds are caused by large pressure gradients moving mostly cold areas around a low-pressure system. These winds are especially hazardous in dry, fire prone conditions where winds are often sustained and reaching over 40 mph. Downslope winds are similarly hazardous and occur when warm, dry air rapidly descends down a mountain. This is common on the east slope of the Rocky Mountains. Dust storms and haboobs are another hazard of concern associated with wind events. Haboobs result from thunderstorm outflow winds that become strong enough to disturb dirt and reduce visibility while dust storm is the general term for a wind event that creates a wall of dust and debris. These storms can appear quickly, be miles long and thousands of feet high.

One type of wind event is the gap wind or canyon wind. This occurs as the wind rushes over mountain passes, “gaps,” in the ridgeline of a mountain chain. Wind speeds are generally strongest at narrow canyon openings. Another type of wind event is referred to as the spillover wind, which occurs when cold air to the east of the mountains has a sufficient depth (approximately 10,000 feet above sea level) to overtop mountain ranges and spill over to the west. Windstorms are high wind events that occur in the absence of a thunderstorm and are usually driven by an approaching storms or large differences in atmospheric pressure above the windstorm location.

High wind events can create hazards in several ways and the potentially fast onset of an event necessitates quick response. Homes and infrastructure can be damaged by high winds that’s pull loose materials from the structure. Mobilized materials can become projectiles and cause further property damage and harm exposed people. When driving, high winds can reduce visibility making travel unsafe. Further, high profile vehicles are at risk of overturning under high wind and gusting conditions. High wind events are also hazardous to human health as debris and sand reduce air quality creating respiratory issues.

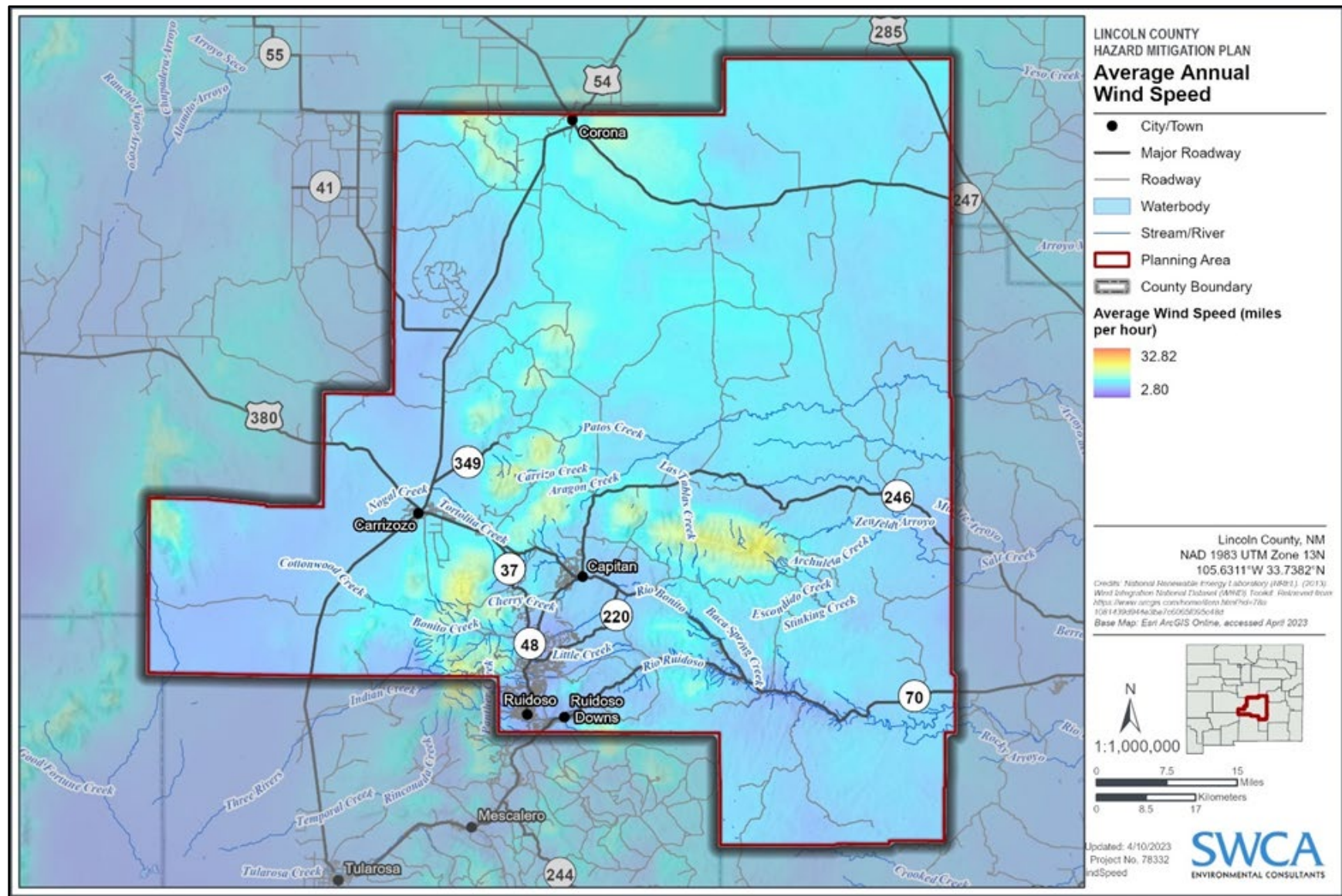
Another concern of high wind events is wildfire. High intensity winds have the potential to carry embers long distances allowing existing fires to “jump” easier and potentially igniting fire prone areas. Caution should be taken for wildfires during extreme wind events with things like machinery, fire pits, and other sparking and open flame sources. The 2018, 246 Fire, ignited, and spread, as a result of extremely high winds and heat with low humidity setting the stage for a prescribed burn and abandoned campfire to spread out of control, eventually burning 4,000 acres and eight structures.

The Beaufort wind scale is one of the most widely used methods for visually assessing wind speed and its impacts when precise measurement scales are unavailable. The county has the potential to experience all levels of the Beaufort scale however a 12 rating is extremely rare and not highly likely to occur in the county. Taking note of the conditions created at each level can help mitigate wind-related risk.

All areas of the county can experience all 12 Beaufort scale categories although events in the “hurricane “category of over 73 mph are extremely rare. No events of this magnitude were observed in the county during the assessed period. Mapped data on wind intensity are limited but average annual wind speed is shown below in Figure 5-62. The data used for this map are from a pilot program created by the National Renewable Energy Lab and only used wind speed records from 2012 to show average wind speed of the course of 1 year. This map is limited by the number of years utilized but was the best available method for visualizing potential wind speed hazards in the county. Higher elevation regions of the county experience higher average wind speeds while communities in the foothills tend to be more guarded but are still subject to intense events especially as thunderstorms move east out of high terrain onto the plains. The northern portion of the county also experiences a higher average wind speed which is mostly due to larger storms that move slowly across the region after gaining intensity in the mountains at the northern portion of the state.

Consistent regional data on average wind and maximum wind are limited throughout the county. Airports provide a consistent record of day-to-day wind velocity that is useful for determining seasonal trends and times of year when high wind events are most common and reach the highest speed.

Figure 5-62: Average Wind Speed Map of Lincoln County

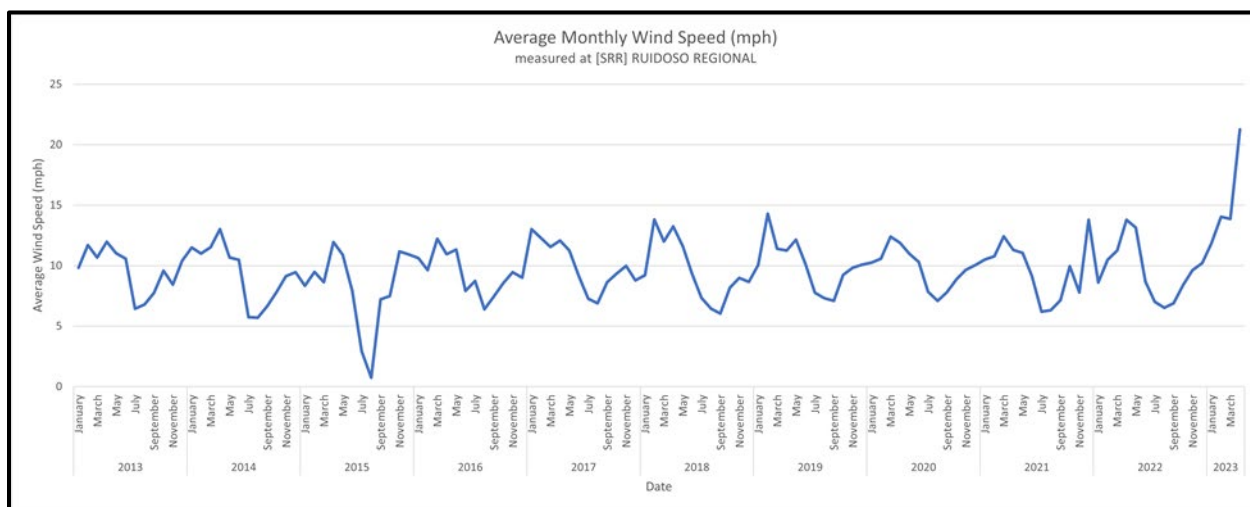


Below are two figures developed from wind data recorded at the Sierra Blanca Regional Airport in Ruidoso. Figure 5-63 graphs average monthly wind speed beginning in 2013 and ending in early 2023. The recorded speeds are monthly averages based on daily measurements of wind speed in miles per hour. Figure 5-64 graphs the monthly maximum wind speed that was recorded at the airport for each month from the beginning of 2013 through the first 2 months of 2023.

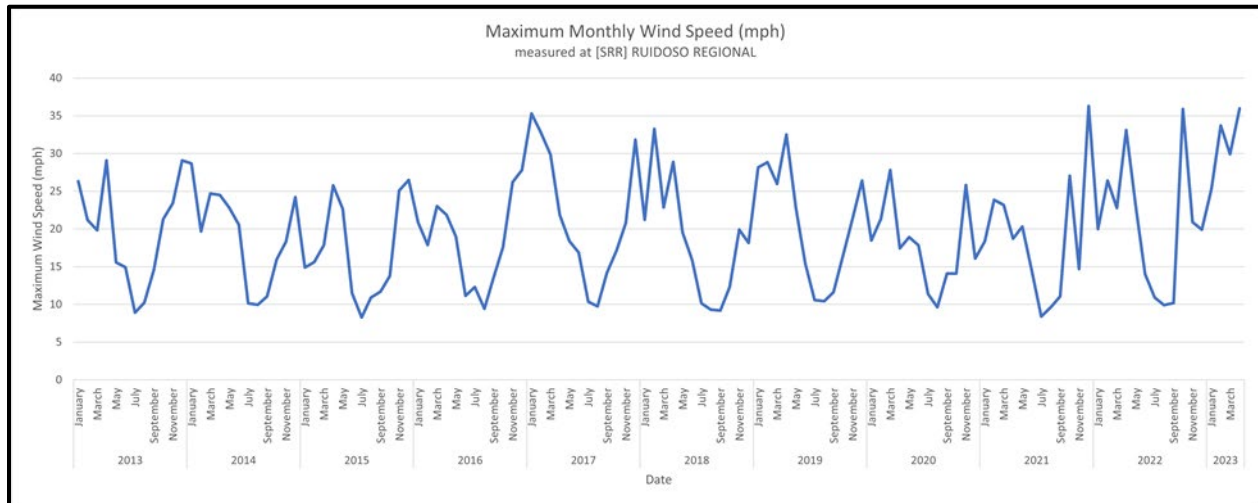
Utilized in conjunction with Figure 5-62 above, these graphics provide a continuous general record of expected average wind speed and maximum wind speed for the area near the Ruidoso Regional Airport from 2013 through 2023. January and March consistently experience the highest average wind speeds while July is typically the least windy month. 2015 on average was the least windy year graphed and experienced average July wind speeds near 0 mph. The initial graphing for 2023 average wind shows a sharp rise in average speed compared to past years. Maximum monthly wind speed for the same period indicates trends similar to previous years with maximum speed at or above 35 mph. together, this indicates that the first 2 months of 2023 experienced consistently high wind speeds but did not have singular wind events that were outside of the anticipated range for the county.

It is important to note that the Smokey Bear Remote Automatic Weather Station (RAWS) provides a more accurate measurement of high winds due to its location and placement (accessing these data for analysis was attempted but not successful). The previous occurrence information in Figure 5-66 below identifies high winds between 60 and 65 mph in comparison to the same wind event measurements at the Airport being approximately 10 to 20 mph lower. According to the Lincoln County Emergency Manager, on April 12, 2022, there were wind gusts up to 71 mph at the Sierra Blanca Regional Airport and weather station reporting of up to 92 mph winds. These high winds were part of why the McBride Fire spread so fast and over so many acres.

**Figure 5-63: Average Monthly Wind Speed Assessed at the Ruidoso Regional Airport**



**Figure 5-64: Maximum Monthly Wind Speed Assessed at the Ruidoso Regional Airport**



Source: Iowa State University (2023)

**Figure 5-65: Beaufort Wind Scale**

Beaufort Wind Scale			
Beaufort Number	Wind Speed (mph)	Description	Land Conditions
0	0	Calm	Calm. Smoke rises vertically.
1	1-3	Light Air	Wind motion visible in smoke.
2	4-7	Light Breeze	Wind felt on exposed skin. Leaves rustle.
3	8-12	Gentle Breeze	Leaves and smaller twigs in constant motion.
4	13-18	Moderate Breeze	Dust and loose paper rise. Small branches begin to move.
5	19-24	Fresh Breeze	Smaller trees sway.
6	25-31	Strong Breeze	Large branches in motion. Whistling is heard in overhead wires. Umbrella use becomes difficult.
7	32-38	Near Gale	Whole trees in motion. Effort needed to walk against the wind.
8	39-46	Gale	Twigs broken from trees. Cars veer on road.
9	47-54	Strong Gale	Light structure damage.
10	55-63	Storm	Trees uprooted. Considerable structural damage.
11	64-73	Violent Storm	Widespread structural damage.

Beaufort Wind Scale			
Beaufort Number	Wind Speed (mph)	Description	Land Conditions
12	73-95	Hurricane	Considerable and widespread damage to structures.

### 5.3.5.2 Previous Occurrences

NCEI records high wind events according to climatic zones due to the hazard's broad nature. The description of communities falling in each zone is as follows: 1) Upper Tularosa Valley (Chihuahuan desert) encompasses the community of Carrizozo, 2) South-central mountains contains Ruidoso, Ruidoso Downs, and Capitan, 3) South Central Highlands includes Corona, 4) Eastern Plains and prairie which does not contain any communities that were assessed for the purposes of this plan (NWS 2023a). Figure 5-66 shows the previous occurrences of high wind per participating jurisdiction from January 1, 2017, through December 31, 2022. Although the Planning Team agreed that high wind previous occurrence would focus on the past six years of the planning cycle, unfortunately, there are no NCEI data after May 27, 2019 (NOAA 2023a).

As mentioned in the wildfire hazard profile, the McBride Fire was started on April 12, 2022, after very powerful straight-line winds had blown a tree into power lines, igniting the surrounding trees and creating a crown fire that destroyed 6,159 acres, 207 structures, and claimed two lives.

**Figure 5-66: Previous Occurrences of High Wind per Jurisdiction, January 1, 2017, through December 31, 2022**

Location	Date	Detailed Description	Magnitude
Eastern Lincoln County	01/11/2017	High winds in the area from the northern mountains across the adjacent east slopes and the high plains. Sustained winds of 40 to 50 mph with gusts between 60 and 70 mph were common.	59 mph
Eastern Lincoln County	01/19/2017	Localized high winds over the high plains. The strongest winds occurred in rural eastern Lincoln County. Sustained winds averaged 40 to 45 mph with gusts near 60 mph.	44 mph
South Central Highlands Corona Eastern Lincoln County South Central Mountains Ruidoso Ruidoso Downs Capitan	01/21/2017	A strong jet streak crossed over central and southeastern New Mexico and created an extended period of strong northwest winds. The area around Ruidoso reported peak wind gusts between 55 and 65 mph. White Sands Missile Range observations gusted as high as 61 mph. Peak wind gust to 61 mph at Sierra Blanca airport.	66–70 mph
Upper Tularosa Valley Carrizozo	02/12/2017	Peak wind gusts around 60 mph were common within the Tularosa Valley. A public weather station northwest of Carrizozo along US380 reported sustained winds up to 43 mph for several hours.	43 mph

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
Eastern Lincoln County South Central Mountains Ruidoso Ruidoso Downs Capitan South-Central Highlands Corona	02/23/2017	Sustained winds in many areas of eastern New Mexico averaged 40 to 45 mph while wind gusts peaked around 60 mph. Blowing dust from White Sands National Monument was captured for the first time by the new GOES-16 satellite. Sierra Blanca Regional Airport reported a peak wind gust to 61 mph.	41-62 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan Eastern Lincoln County Upper Tularosa Valley Carrizozo South Central Highlands Corona	02/28/2017	Many locations across the eastern plains reported peak winds between 65 and 75 mph. Power outages were reported around Lincoln County. The most significant blowing dust event of the season so far was reported across much of southeastern New Mexico. Sierra Blanca Regional Airport reported peak wind gusts as high as 78 mph for several hours. A public weather station along US54 north of Carrizozo reported a peak wind gust up to 60 mph.	59-78 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan Eastern Lincoln County	03/06/2017	Gusts across the eastern plains averaged 60 to 65 mph with a few areas of blowing dust. The Sierra Blanca Regional Airport reported peak wind gusts between 58 and 61 mph for several hours. Sustained winds were as high as 43 mph. The Columbia Scientific Balloon Facility (CSBF) Transwestern Pump station reported peak wind gusts up to 58 mph for several hours.	58-70 mph
Eastern Lincoln County	03/23/2017	The CSBF Transwestern Pump station reported peak wind gusts up to 62 mph with sustained winds up to 47 mph for several hours.	62 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan South Central Highlands Corona	03/31/2017	Areas from the White Sands Missile Range to Ruidoso reported peak wind gusts near 60 mph. Several White Sands Missile Range sites reported high wind gusts up to 58 mph.	58-60 mph
Eastern Lincoln County	04/04/2017	Wind gusts between 60 and 70 mph were reported.	58 mph
Upper Tularosa Valley Carrizozo Eastern Lincoln County	05/16/2017	Several White Sands Missile Range sites reported peak wind gusts up to 61 mph.	58-61 mph
Upper Tularosa Valley Carrizozo South Central Highlands Corona	10/09/2017	Carrizozo reported peak wind gusts between 40 and 50 mph. No damage was reported.	60-64 mph

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
South Central Mountains Ruidoso Ruidoso Downs Capitan	12/21/2017	The strongest winds impacted the area around Ruidoso where gusts between 55 and 65 mph were reported. Sierra Blanca Regional Airport reported peak winds between 58 mph and 66 mph periodically for several hours.	66 mph
Eastern Lincoln County	01/10/2018	Widespread wind gusts up to 50 mph were reported over northern and central New Mexico. The strongest winds occurred over the high plains of eastern New Mexico where gusts near 60 mph were reported. Peak wind gusts topped out at 61 mph 18 miles north-northeast of Encinoso.	61 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	01/26/2018	The Smokey Bear RAWS station reported a brief peak wind gust to 60 mph.	60 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	02/14/2018	Ruidoso reported a peak wind gust to 66 mph.	47-66 mph
South Central Highlands Corona South Central Mountains Ruidoso Ruidoso Downs Capitan Eastern Lincoln County	02/19/2018	The Corona Public Library weather station reported sustained winds periodically between 40 mph and 48 mph for several consecutive hours and peak wind gusts between 58 mph and 63 mph. Sierra Blanca Regional Airport reported sustained winds between 40 mph and 56 mph for several consecutive hours and peak wind gusts between 58 mph and 76 mph for several consecutive hours.	45-76 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	02/22/2018	Strong winds were reported around the Ruidoso area. Sierra Blanca Regional Airport reported peak wind gusts up to 58 mph.	58 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	02/24/2018	The weather station at the Upper Hondo Soil and Water Conservation District reported sustained winds periodically between 40 and 45 mph and a peak wind gust up to 60 mph.	45-60 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	03/04/2018	The Smokey Bear RAWS reported a peak wind gust up to 58 mph. Strong wind gusts around Ruidoso tossed a large trampoline into a nearby fence.	58 mph

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
South Central Mountains Ruidoso Ruidoso Downs Capitan Eastern Lincoln County	03/15/2018	Smokey Bear RAWS reported peak wind gusts up to 62 mph. Sierra Blanca Regional Airport reported sustained wind speeds periodically between 40 and 44 mph.	44-62 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan South Central Highlands Corona Eastern Lincoln County	03/18/2018	Sierra Blanca Regional Airport reported peak wind gusts between 58 mph and 62 mph for several hours. Peak sustained winds up to 47 mph were also reported for a short duration during this time.	58-63 mph
Eastern Lincoln County	04/08/2018	The CSBF Transwestern Pump Station reported peak sustained winds between 40 mph and 51 mph for several hours and peak wind gusts between 58 mph and 65 mph.	63-64 mph
Eastern Lincoln County South Central Mountains Ruidoso Ruidoso Downs Capitan South Central Highlands Corona Upper Tularosa Valley Capitan	04/12/2018	High temperatures in the 80s and 90s combined with very low humidity and strong winds set the stage for wildfires across the region. The 246 Fire near Capitan consumed nearly 4,000 acres as well as two homes and four outbuildings. Smokey Bear RAWS reported peak wind gusts up to 65 mph. Sierra Blanca Regional Airport reported sustained winds between 40 mph and 48 mph and peak wind gusts between 58 mph and 66 periodically for several hours. A White Sands Missile Range site reported a peak wind gust up to 58 mph.	47-66 mph
South Central Highlands Corona	04/13/2018	A weather station near Deer Canyon Preserve reported sustained winds of 40 to 41 mph periodically for a couple hours.	41 mph
Eastern Lincoln County South Central Mountains Ruidoso Ruidoso Downs Capitan South Central Highlands Corona	04/17/2018	A weather station in Corona reported a peak wind gust up to 58 mph. Sierra Blanca Regional Airport reported sustained winds between 40 mph and 44 mph periodically for several hours.	44-66 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	05/01/2018	Most locations experienced wind gusts in the 35 to 45 mph range throughout the day. The strongest winds impacted the area around Ruidoso where a 60-mph wind gust was reported at the Smokey Bear RAWS.	60 mph
Eastern Lincoln County	05/02/2018	The CSBF Transwestern Pump station reported peak wind gusts up to 58 mph.	58 mph

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
Upper Tularosa Valley Carrizozo	12/12/2018	The Phillips Hill site at White Sands Missile Range reported a peak wind gust up to 60 mph.	60 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan South-Central Highlands Corona	12/13/2018	The Sierra Blanca airport reported peak wind gusts up to 58 mph. The Shist site at White Sands Missile Range reported peak wind gusts between 58 mph and 62 mph.	58-62 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	01/06/2019	Strong westerly winds impacted areas from the east slopes of the central mountain chain across the high plains. The strongest winds occurred within Lincoln County where gusts up to 68 mph were reported. The Smokey Bear RAWs site west of Ruidoso reported a peak wind gust up to 64 mph.	68 mph
South Central Highlands Corona	01/18/2019	White Sands Missile Range mesonet sites reported peak wind gusts between 58 and 74 mph. Mesonet sites are weather stations not federally owned that report data to the NWS.	74 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	01/21/2019	Widespread wind gusts of 40 to 50 mph were reported over many areas with peak winds in excess of 60 mph in the higher terrain of Lincoln County. The Sierra Blanca airport reported sustained winds between 40 and 51 mph and peak wind gusts between 58 and 71 mph for several hours.	51-71 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	02/03/2019	Much of central and eastern New Mexico experienced wind gusts of 40 to 50 mph throughout the day. The strongest winds impacted areas around Ruidoso where gusts up to 61 mph were reported. Sierra Blanca airport reported peak wind gusts up to 61 mph.	61 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan South Central Highlands Corona	02/06/2019	Several White Sands Missile Range sites reported peak wind gusts between 58 and 60 mph. Sierra Blanca airport reported a peak wind gust up to 63 mph.	60-63 mph

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>	<b>Magnitude</b>
South Central Mountains Ruidoso Ruidoso Downs Capitan South-Central Highlands Corona	02/11/2019	West to northwest winds of 25 to 35 mph with gusts near 50 mph impacted many areas of the state, but the strongest winds impacted eastern New Mexico where gusts near 60 mph were common. The Upper Hondo Soil and Water Conservation District office reported peak wind gusts up to 60 mph. A National Weather Service network site on White Sands Missile Range reported peak wind gusts up to 61 mph.	60-61 mph
Upper Tularosa Valley Carrizozo South Central Highlands Corona South Central Mountains Ruidoso Ruidoso Downs Capitan	02/23/2019	A National Weather Service network site on White Sands Missile Range reported a peak wind gust up to 59 mph. A weather station at the Corona public library reported a peak wind gust up to 60 mph. A weather station at the Upper Hondo Water & Conservation District office in Capitan reported sustained winds of 40 to 45 mph for several hours.	45-60 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	03/07/2019	A public weather station near Nogal reported sustained winds between 40 mph and 50 mph for a couple hours.	49 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan South-Central Highlands Corona	03/08/2019	A National Weather Service network site on White Sands Missile Range reported peak wind gusts up to 66 mph. A weather station near Nogal reported a peak wind gust up to 60 mph.	60-66 mph
Eastern Lincoln County South Central Highlands Corona South Central Mountains Ruidoso Ruidoso Downs Capitan Upper Tularosa Valley Carrizozo	03/13/2019	Various White Sands Missile Range sites reported sustained winds between 40 mph and 47 mph and peak wind gusts between 58 mph and 82 mph for several hours. Significant blowing dust was reported across the area. The Smokey Bear RAWS reported peak wind gusts up to 59 mph. A peak gust of 62 mph was reported 18 miles northeast of Encinosa.	47-82 mph

Location	Date	Detailed Description	Magnitude
South Central Highlands Corona South Central Mountains Ruidoso Ruidoso Downs Capitan Upper Tularosa Valley Carrizozo	04/10/2019	Various sources across the Ruidoso area reported sustained winds between 40 mph and 50 mph and peak wind gusts between 60 and 70 mph. A peak wind gust up to 75 mph was recorded at the Sierra Blanca airport. Significant blowing dust impacted the area from White Sands. Various sources across the Carrizozo area reported peak wind gusts between 58 mph and 62 mph for several hours. Various White Sands Missile Range sites reported peak wind gusts between 60 mph and 70 mph. Significant blowing dust impacted the area.	49-75 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	05/17/2019	A peak wind gust up to 58 mph was reported by the Smokey Bear RAWS southwest of Ruidoso.	58 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	05/20/2019	Sierra Blanca airport reported sustained winds around 41 mph for several hours and peak wind gusts up to 58 mph.	41-58 mph
South Central Mountains Ruidoso Ruidoso Downs Capitan	05/27/2019	Most of the experienced wind gusts in the 30 to 40 mph range, however localized high wind gusts near 60 mph impacted the Ruidoso area. The Sierra Blanca airport reported peak wind gusts up to 60 mph.	60 mph

### 5.3.5.3 Location and Extent per Participating Jurisdiction

The average annual wind speed in Lincoln County is between 2 and 25 mph. The mountainous regions of the county, particularly the Capitan Mountains and the Sacramento Range in the south-central part of the county are on the upper end of this average and experience a high number of reported wind events. The majority of recorded wind events during the planning period occurred during the winter and spring seasons from November to May. March and April have the highest average wind speed as shown in Figure 5-63 above. January consistently had the maximum observed wind speed during the assessed period. These winds are generally associated with winter storm cells moving across the county. The extent of high wind is consistent for all assessed communities and, based on previous occurrence data, ranges from a Beaufort scale value of 0 to 12. Beaufort scale 12 winds have been experienced in all participating jurisdictions four times over the planning cycle. Although high winds above 73 mph were experienced, other “hurricane” characteristics such as extensive rain were not experienced at the same time; the term “hurricane-force winds” is a misnomer in New Mexico.

All areas of Lincoln County experience damaging high winds, especially in the early spring, but extremely high-velocity wind over a prolonged period is rare. High wind is expected to be prominent from winter through late spring with the highest occurrence in March and April. Many events that impact the county result from cold fronts moving eastward across the county. Storm events that either form or move across the mountain ranges generally have the highest magnitude as they are aided by down sloping. Such occurrences can result in downed power lines, roof damage, trees being blown down, and difficulty in

controlling high-profile vehicles on the highways. Microburst wind damage is more common since it is often associated with powerful downdrafts originating from thunderstorms. These winds are of relatively short duration. Downburst wind events occur more frequently in the warmer summer months where high winds are associated with thunderstorms common during monsoon season. Certain areas of Lincoln County are subject to hazardous dust storms when high winds blow over terrain that is relatively devoid of vegetation. Localized dust storms can arise unexpectedly when high winds pick up dust and debris from construction sites and other denuded areas.

The village of Corona experiences the highest average annual windspeed of all assessed communities, averaging around 9 mph. The communities of Ruidoso, Ruidoso Downs, and Capitan all fall within the Southcentral Mountain weather region and experience similar average wind speeds around 6 mph. During the assessed period of 2017 through 2022, five tornadoes also impacted the county and are noted further in the jurisdictions where they were reported, although none of the recorded tornadoes directly touch down in any of the communities nor did they impact the communities or infrastructure. No deaths, injuries, or damage was reported from these events, and they were mostly limited to touchdowns of less than five minutes. These mostly occurred in the eastern plains of the county although one tornado touched down near Carrizozo in spring of 2017.

### **Lincoln County**

During the assessment period, 44 extreme wind events impacted the county. These events did not cause any reported deaths or injuries, however \$500 in property damage was reported. This resulted from a high wind event on March 4, 2018, in the south and southwest portion of the county where wind speeds reached 66 mph and a trampoline was carried away, damaging fences. Severe wind is most common from late winter through early summer with February and March having the highest number of occurrences. Magnitude of severe events ranges from 35-80 mph with the highest rate occurring in the Southcentral Highlands which covers a portion of the unincorporated County. The Southcentral Mountain region experienced the highest number of events with 31. Multiple tornado events also occurred in the county during this period. One occurred near Capitan while the other was near Carrizozo. Both events were minor in extent, reaching the ground for less than 5 minutes and did not cause any damage.

According to the Lincoln County Emergency Manager, on April 12, 2022, there was weather station reporting of up to 92 mph winds. These high winds were part of why the McBride Fire spread so fast and over so many acres. The Lincoln County Emergency Management Director also noted that due to the high winds during the McBride Fire, electricity was down for more than 4 days in some portions of the impacted area. Emergency Medical Services (EMS) across the street from the hospital was down for 4 days making communications and response more challenging.

### **Village of Ruidoso**

The topography of the village makes it susceptible to down sloping, as storms move from the west, over the Sacramento mountains. Tree mortality in recent years from drought and pest outbreaks has left many dead standing trees that can become windfall hazards.

Between 2017 and 2022, 27 high wind events occurred in the southcentral mountains where the village is located. Most high winds occurred during the winter and spring months from December to June. On February 28, 2017, a severe winter storm moved through the county but did not have any significant snow. Large surface-air temperature differentials created winds that swept across much of the southern portion of the county. Wind speeds reached 78 mph. And caused power outages throughout the village. It is worth noting that Ruidoso and Ruidoso Downs generally experience more extreme events due to their higher elevation and proximity to the Sacramento Mountains.

### **City of Ruidoso Downs**

Recent years have seen a large number of winter storm winds, especially at higher elevations. High winds are of concern to the city for a variety of health and safety reasons. The city has multiple mobile home parks that can be damaged under severe conditions. It's noted in the city's comprehensive plan that soil health is relatively low. When high winds occur, this soil can be easily transported and pose a potential air quality threat to people in the area.

Between 2017 and 2022, 27 high wind events occurred in the village. Most high winds occurred during the winter and spring months from December to June. The highest wind speed during this time period occurred on May 20, 2019, when a spring storm that also dropped hail and heavy rain measured gusting winds at 69 mph. With sustained speeds around 57 mph. Due to its higher elevation and proximity to the Sacramento Mountains, Ruidoso Downs, as well as Ruidoso, generally experience more extreme events.

According to the Ruidoso Downs Fire Chief/Emergency Manager, in order to determine if it is safe to land medical helicopters, the City uses handheld anemometers to measure wind speed in order to ensure staff and patient safety.

### **Town of Carrizozo**

The landscape surrounding Carrizozo is generally a desert grassland with loose, rocky soil. In May of 2017, tornadoes were recorded near town. The events were short lived, touching down for only a few minutes and none reached the city limits of Carrizozo. The town is in the process of establishing a text notification system to expedite warning and evacuation notices for all hazards.

The town falls within the Upper Tularosa valley and seven severe windstorm events were reported between 2017 and 2022. The most severe event during the period of January 2017 through December 2022 occurred on April 10, 2019. Down slopping air flow from the Sacramento mountains to the east created a several hours of gusting winds between 57 and 63 mph.

### **Village of Capitan**

The village is subject to similar storm-related wind events to those that impact Ruidoso and Ruidoso Downs; jet stream and storm cells moving eastward sweep over the mountains to the east and carry strong winds into the valley. Debris movement, such as sandstorms, are a wind-related concern for the village.

Capitan, along with Ruidoso and Ruidoso Downs fall within the Southcentral Mountains weather forecast zone. Between 2017 and 2022, 27 high wind events occurred in the region. Most high winds occurred during the winter and spring months from December to June. The most impactful wind event of the assessed period occurred on April 12, 2018, when a large storm cell moved east across the state from the central mountains. The storm moved out of the high terrain late in the afternoon and down sloping winds gusted from 57 to 69 mph. This fueled the spread of the 246 Fire near the village which destroyed two homes and burned 40,000 acres.

### **Village of Corona**

The geography of the Village leaves it susceptible to high wind- and dust-related events. One tornado even touched down momentarily near the Village during the assessed period.

The Village is expected to experience wind event along the same seasonal frequency experienced by unincorporated Lincoln County. Nineteen total high wind events were recorded between 2017 and 2022

in the Village. The most severe wind event of this period was recorded on February 19, 2018, when a large winter storm that originated in the Four Corners region slowly moved southeast across the state, distributing snow along the way, and gaining size as it moved across the central mountains. Sweeping winds impacted the Village throughout the afternoon and night; the public library in town reported gusts between 57 and 63 mph.

#### 5.3.5.4 Probability of Occurrence

When calculating severe weather high hazard wind probability, the Planning Team agreed to use the PRI, explained further in Figure 5-110. The probability in Figure 5-67 below is calculated based on the number of years in the last six that the hazard occurred.

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for high wind, there was 14 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in one year. By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. For example, the analysis revealed that there was an increase in annual probability for all participating jurisdictions when comparing the past six years of data to the past 14 years of data. It is understood that record keeping has improved over the years and that annual probability over time as presented here may not be an accurate accounting.

**Figure 5-67: Probability of High Wind Hazard Occurrence per Participating Jurisdiction**

Jurisdiction	High Wind Probability Based on Past Occurrence				
	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 2009-2022	Annual Probability 2009-2022
Lincoln County	44	Highly Likely	100% (733%)	130	100% (929%)
Village of Ruidoso	27	Highly Likely	100% (450%)	114	100% (814%)
City of Ruidoso Downs	27	Highly Likely	100% (450%)	114	100% (814%)
Town of Carrizozo	7	Highly Likely	100% (116%)	32	100% (229%)
Village of Capitan	27	Highly Likely	100% (450%)	114	100% (814%)
Village of Corona	19	Highly Likely	100% (317%)	49	100% (350%)

### 5.3.5.5 Climate Change Impacts

Climate change is expected to create more severe storm events with higher precipitation totals and stronger, longer occurring winds. As polar regions warm, mid to high latitude temperature gradients are reduced which alters the path and speed of jet streams. This alteration allows storms to grow larger, covering more area, and move slower, impacting areas for longer. Another concern is the multilevel impact of aridification and high wind. As average temperatures increase, and warmer, spring temperatures occur earlier, soil will become dry. This could increase the occurrence of dust storms and impact agriculture by stripping away topsoil if it isn't currently planted. Additionally, much of the eastern portion of the county is covered by vegetation with relatively shallow roots or completely uncovered by vegetation. Increased wind events and speeds will result in higher rates of sandstorms and desertification which is the complete loss of biological processes and soil organic matter. This creates a highly erodible landscape where little to no vegetation can grow. Climate change-related reductions in snowpacks have also reduced the health of many forests leaving them more vulnerable to high intensity wildfires. High wind is often a catalyst or driver for destructive wildfire events and cannot be assessed in the context of climate change without consideration for the others contribution.

Over the course of the six-year assessment period, unincorporated Lincoln County, Ruidoso, Ruidoso Downs, Carrizozo, and Capitan all saw decreases in high wind event frequency in comparison to the annual probability over the 14 years of available data. However, Corona experienced only a slight decrease. The areas that saw decreases are still categorized as likely to highly likely based on a high number of observed events. Frequency alone does not provide a full picture of how wind hazards are changing; as shown in Figure 5-64, since 2013, monthly maximum wind speeds have gradually increased with months that usually experienced limited wind now recording maximum winds similar to those recorded during peak wind season. Anecdotally, it was noted by the Planning Team that there has been an increase in destructive high wind events that is in line with the available data. This change may be correlated with climate change-related disruptions to global wind cycles.

### 5.3.6 Drought

#### 5.3.6.1 Description

Drought is a condition of climatic dryness that reduces soil moisture, water, or snow levels below the minimum necessary for sustaining plant, animal, and economic systems. Drought conditions are usually not uniform over the entire state. Local and regional differences in weather, soil condition, geology, vegetation, and human influence need to be considered when assessing the impact of drought on any particular location.

The most commonly used drought definitions are based on meteorological, agricultural, hydrological, socio-economic, and ecological effects (National Drought Mitigation Center 2023b).

- **Meteorological** drought is defined as a period of substantially diminished precipitation duration and/or intensity. The commonly used definition of meteorological drought is an interval of time, generally in the order of months or years, during which the actual moisture supply at a given place consistently falls below the climatically appropriate moisture supply.
- **Agricultural** drought occurs when soil moisture is inadequate and does not meet the needs of a particular crop at a particular time. Agricultural drought usually occurs after or during meteorological drought but before hydrological drought and can affect livestock and other dry- land agricultural operations.
- **Hydrological** drought refers to deficiencies in surface and subsurface water supplies. It is measured as stream flow, snowpack, and as lake, reservoir, and groundwater levels. There is usually a delay

between lack of rain or snow and less measurable water in streams, lakes, and reservoirs. Therefore, hydrological measurements tend to lag behind other drought indicators.

- **Socioeconomic** drought occurs when physical water shortages start to affect the health, well-being, and quality of life of the people or when the drought starts to affect the supply and demand of an economic product.
- **Ecological** drought occurs when a prolonged and widespread deficit of available water places stress on ecosystems. This causes a loss of vegetation and terrestrial and aquatic species.

Although different types of drought may occur at the same time, they can also occur independently of one another. Drought differs from other natural hazards in three ways. First, the onset and end of a drought are difficult to determine due to the slow accumulation and lingering effects of an event after its apparent end. Second, the lack of an exact and universally accepted definition adds to the confusion of its existence and severity. Third, in contrast to other natural hazards, the impact of drought is less obvious and may spread over a larger geographic area. These characteristics have hindered the preparation of drought contingency or mitigation plans by many governments. Severe to extreme drought poses a more obvious and enduring challenge.

The impacts of drought are not limited to the initial challenges that it creates for communities such as limiting water supply and reducing agricultural yields. Rather, drought can exacerbate and increase the occurrence of other natural hazards like wildfire and flash flooding. As surface and ground water supplies dry, forests, grasslands, and wetlands have limited access to water and will become dry or simply die. As dry and dead vegetation accumulates, the risk of wildfire increases. When continuous drought occurs, soil moisture is reduced, and it will become hydrophobic. This makes the soil highly erosive and can result in debris flows and flash flooding when rain occurs. Alternatively, vegetation loss leaves soil exposed which can result in dust storms that impact air quality and create hazardous travel conditions.

Much of the southwestern and southcentral portion of the county is covered in ponderosa and mixed conifer forests intermixed with communities. This creates a high occurrence of WUI communities that are affected by drought. Drought causes trees to be stressed and therefore susceptible to beetle and bug infestation, wildfire, and lack of water. When the forests are dry and stressed it impacts two important parts of the county ecosystem: 1) the scenic value; and 2) fire danger.

Drought status is calculated using several indices that measure how much precipitation for a given period of time has deviated from historically established norms. The Palmer Drought Severity Index (PDSI) is used by the U.S. Department of Agriculture (USDA) to determine allocations of grant funds for emergency drought assistance (UCAR 2023).

According to the 2018 New Mexico Drought Plan, the latest predictions call for a deepening of the drought in the next few years. It is expected that Lincoln County could experience normal to extreme drought conditions.

The PDSI (Figure 5-68) uses temperature and physical water balance models to estimate relative soil dryness. The method also captures the effects of global warming and its potential changes to evapotranspiration rates. The PDSI is most effective at determining longer term drought and is best adapted to measuring drought across time scales 12 months or longer. The standardized metrics make the index ideal for comparing relative drought conditions at varying locations that have significantly different climates and water regimes.

**Figure 5-68: Palmer Drought Severity Index**

PDSI Classifications	
4.00 or more	Extremely wet
3.00 to 3.99	Very wet
2.00 to 2.99	Moderately wet
1.00 to 1.99	Slightly wet
0.50 to 0.99	Incipient wet spell
0.49 to -0.49	Near normal
-0.50 to -0.99	Incipient dry spell
-1.00 to -1.99	Mild drought
-2.00 to -2.99	Moderate drought
-3.00 to -3.99	Severe drought
-4.00 or less	Extreme drought

Source: University Corporation for Atmospheric Research (2023)

### 5.3.6.2 Previous Occurrences

Drought events during 2016 through 2022 for Lincoln County have been recorded by the NCEI, but no deaths, injuries, or estimated monetary damages were recorded (NOAA 2023a). Even though the details regarding these events were lacking in the NCEI data, according to the Planning Team, Lincoln County has experienced losses from drought events. Figure 5-69 below shows previous occurrences for drought events, per participating jurisdiction for June of each year of the 6-year planning cycle. The Planning Team chose to modify the approach to reporting previous occurrences for the 2023 HMP Update to be based on the U.S. Drought Monitor for the typical driest month of the year, June. The previous occurrence listing for drought prior to January 1, 2017, is found in Appendix B-5; this listing is based on the U.S. Department of Agriculture emergency declarations.

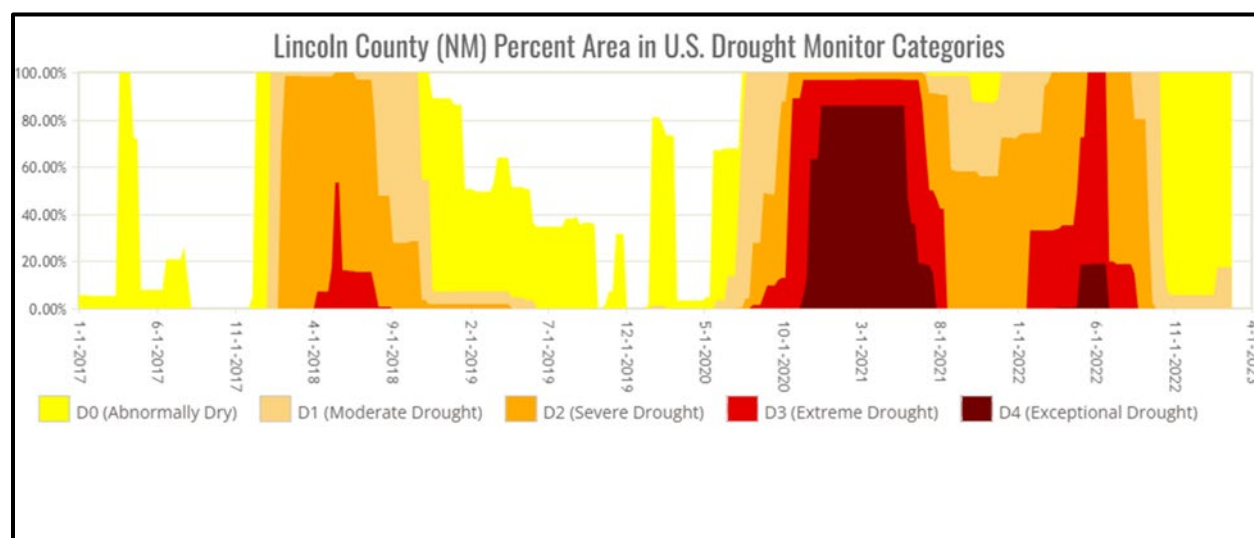
**Figure 5-69: Previous Occurrences of Drought per Jurisdiction for the month of June 2017 through 2022**

Location	Date 2017-2022	Detailed Description
South Central Highlands – covers the region of Corona and Capitan	3 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).
Upper Tularosa Valley – covers the region of Carrizozo	3 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).

Location	Date 2017-2022	Detailed Description
South Central Mountains – covers the region Ruidoso and Ruidoso Downs	3 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).
Eastern Lincoln County – covers the region east of the Sacramento Mountains	4 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).

Figure 5-70 shows a timescale of the drought severity level in the county from 2017- 2022. The severity levels correspond to a color. Severity levels are shown as a percentage of area coverage through the years.

**Figure 5-70: Time Scale of Drought Conditions in the County**



Source: National Drought Mitigation Center (2023a)

Figures 5-71 through 5-76 are snapshots of drought conditions from 2017 through 2022. To provide a consistent reference point, all maps are from June which has the highest average days under drought conditions. These maps do not necessarily correspond with the highest severity drought occurrence for each community in a given year.

In 2017, Lincoln County did not experience high rates of drought and only reached an abnormally dry rating. April and May saw the highest rates of drought during the year and the profiled communities were not heavily impacted by these events. In 2017, there was consistent precipitation that helped reduce drought. Specifically, January and April saw above average precipitation as well as in July and August which are already the wettest months for the county.

In 2018, there much higher rates of drought than 2017 and events during the year impacted the entire county. Extreme drought conditions were consistently present in the county between April and September with over 50% of the county experiencing extreme drought in May and June alone. All profiled communities experience severe or extreme drought. Precipitation was below average, and the winter and spring months only received about 1 inch of precipitation each.

In 2019 the county saw some reprieve from the severe drought of the previous year. Severe drought was only experienced in the first three months of the year and less than 10% of the county reached that threshold. Drought still persisted in many areas though, as between 30-60% of the county experienced abnormally dry conditions through most of the year. August through December saw high precipitation which contributed to the county heading into 2022 with less than 5% of the county experiencing abnormal dryness.

The county saw an increase in drought conditions in 2020 following some relief in 2019. In March, over 80% of the county experienced abnormal dryness and about 5% reached moderate drought conditions. Precipitation was below average through the year and August, which generally sees the most precipitation, only received between 1 and 2 inches. This led to more extreme drought conditions returning to the county and by the end of the year, over 85% of the county was experiencing extreme or exceptional drought.

In 2021, there was the most extreme drought year for the county during the planning period. Between February and August, over 80% of the county was under exceptional drought conditions. Drought persisted into the following year and only dropped to severe drought following average precipitation in July and August. Still, 100% of the county experienced at least moderate drought for the entire year.

In 2022, there was another year of high levels of drought with severity fluctuation throughout the year and ending with over 90% of the county falling only under abnormally dry conditions by the end of the year. June saw a peak in severity as 100% of the county experienced at least extreme drought conditions. The slight decline in severity that began at the end of 2021 was short lived and by March, over 90% of the county returned to severe drought conditions. The county experiences above average precipitation through the summer months receiving 5 inches in August alone. Although severe conditions subsided near the end of the year, abnormal dryness persisted over 100% of the county leading into 2023.

Figure 5-71: 2017 Lincoln County Drought Conditions Map and Severity Monitoring

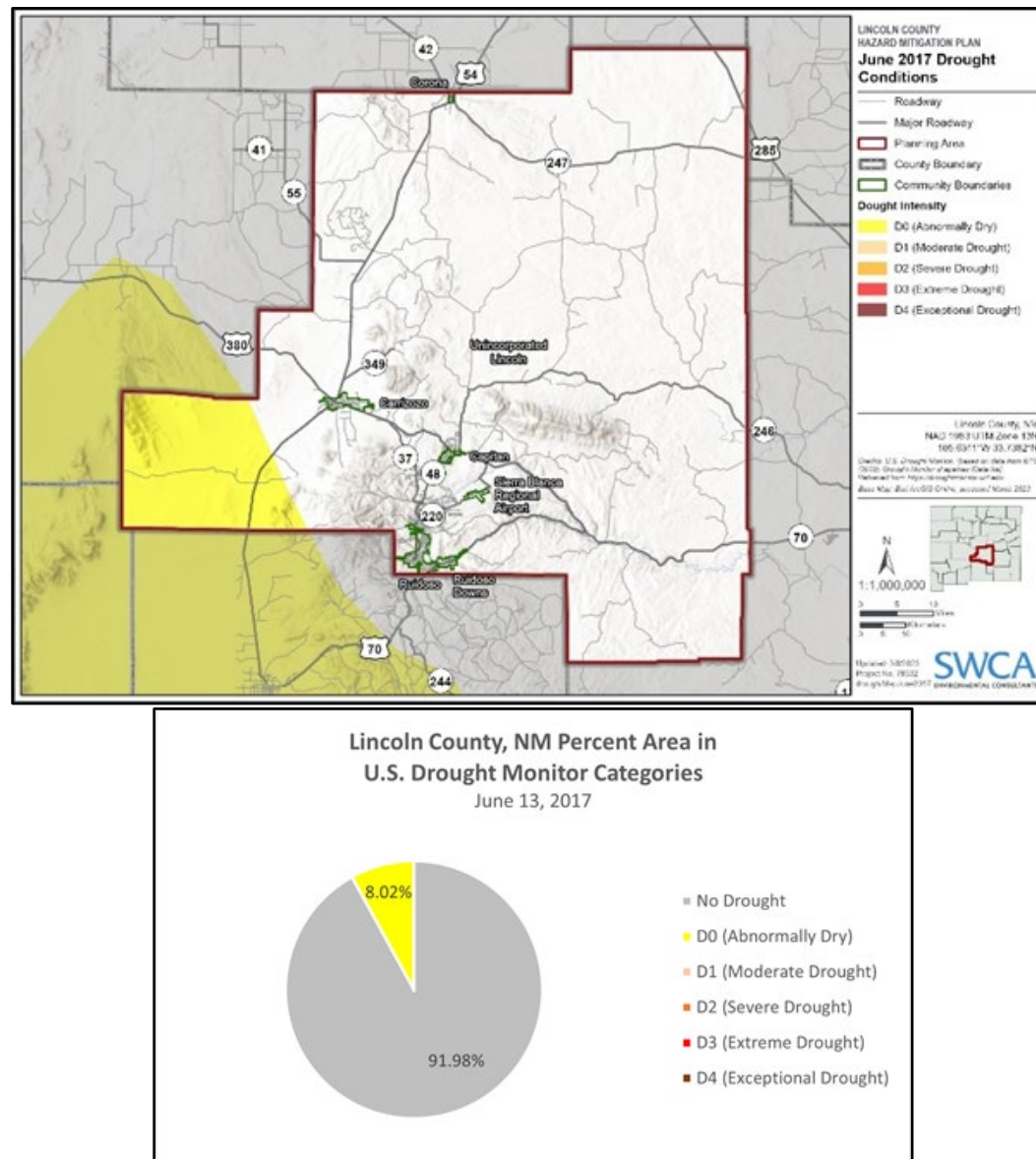


Figure 5-72: 2018 Lincoln County Drought Conditions Map and Severity Monitoring

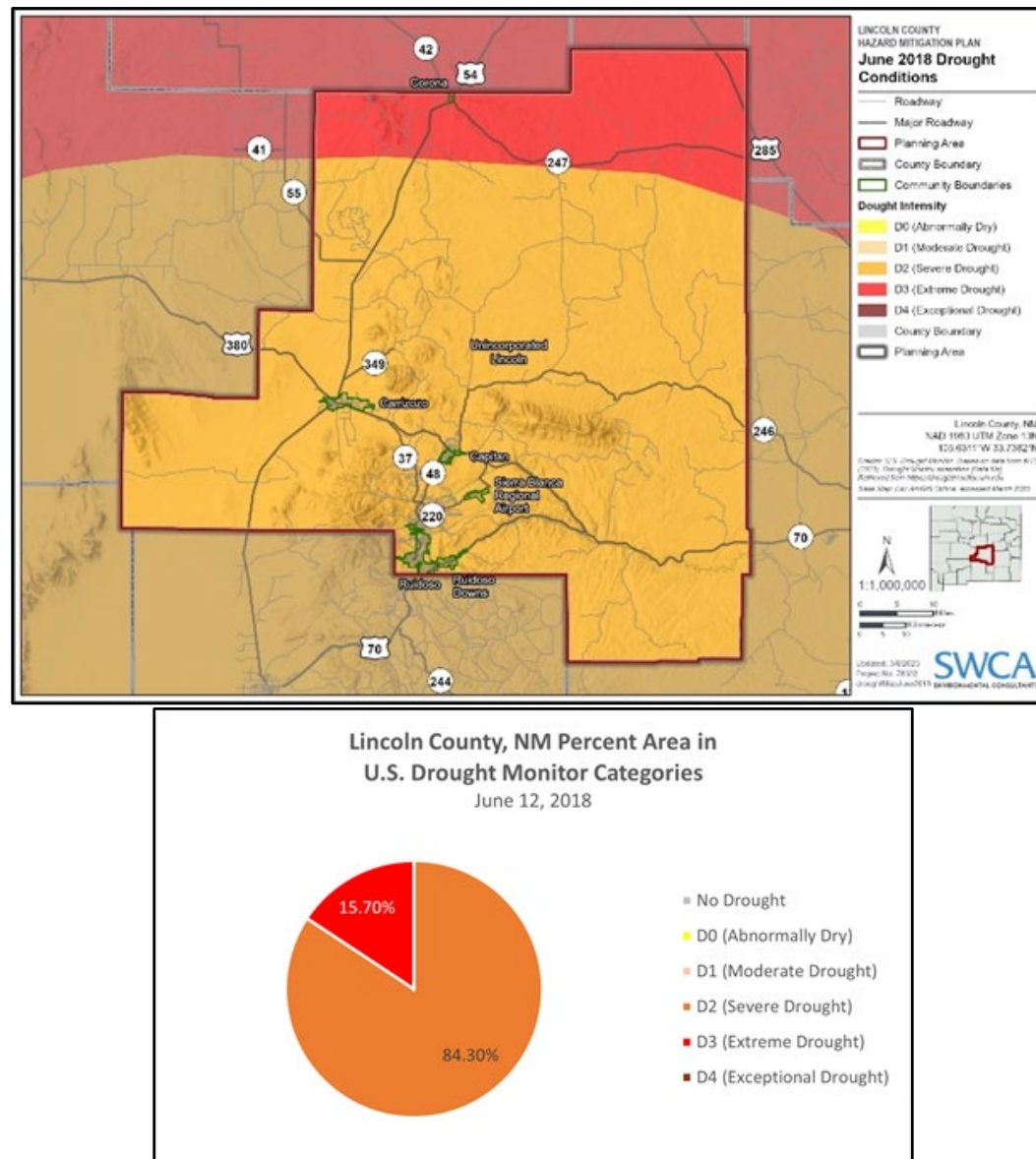


Figure 5-73: 2019 Lincoln County Drought Conditions Map and Severity Monitoring

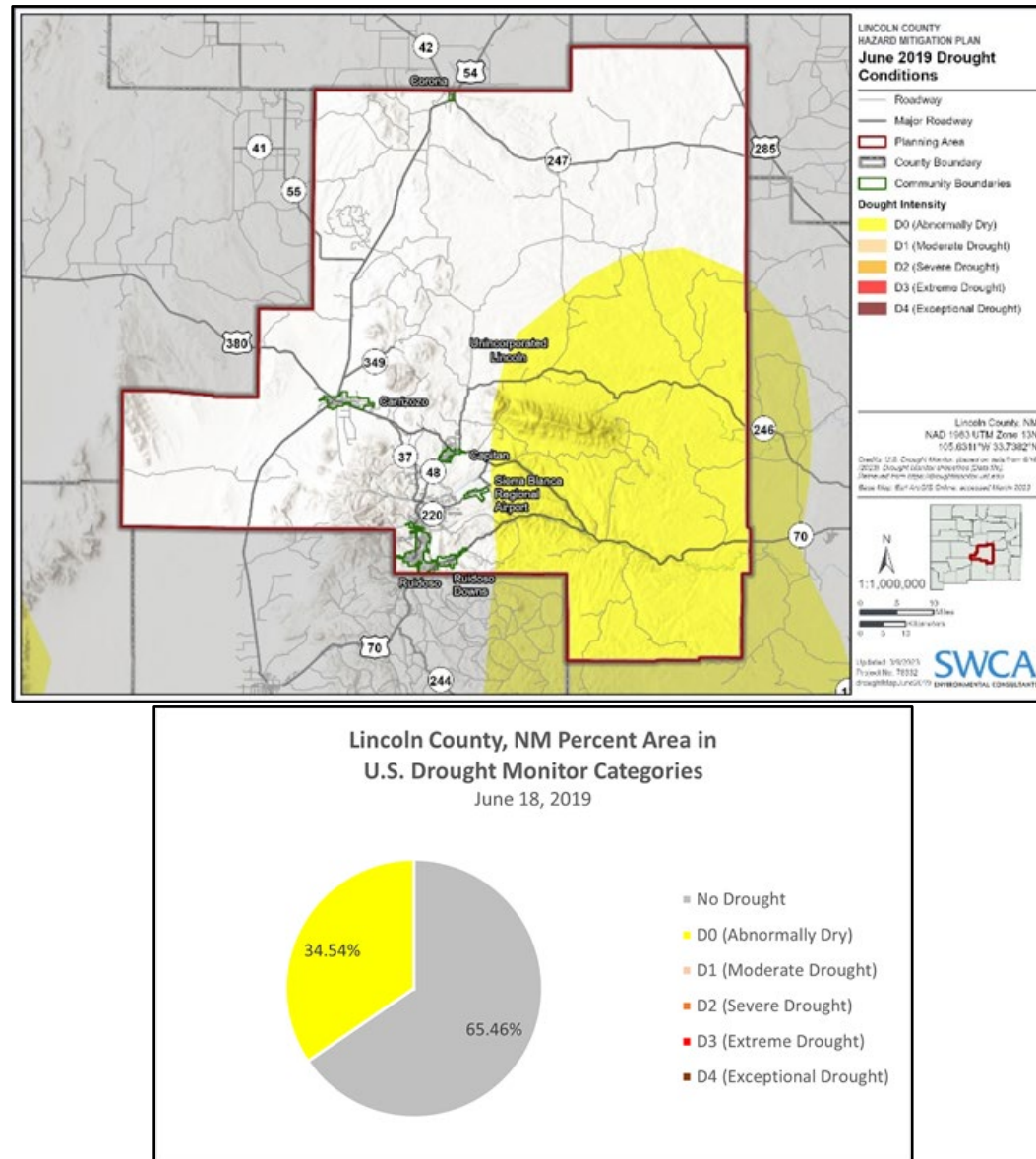


Figure 5-74: 2020 Lincoln County Drought Conditions Map and Severity Monitoring

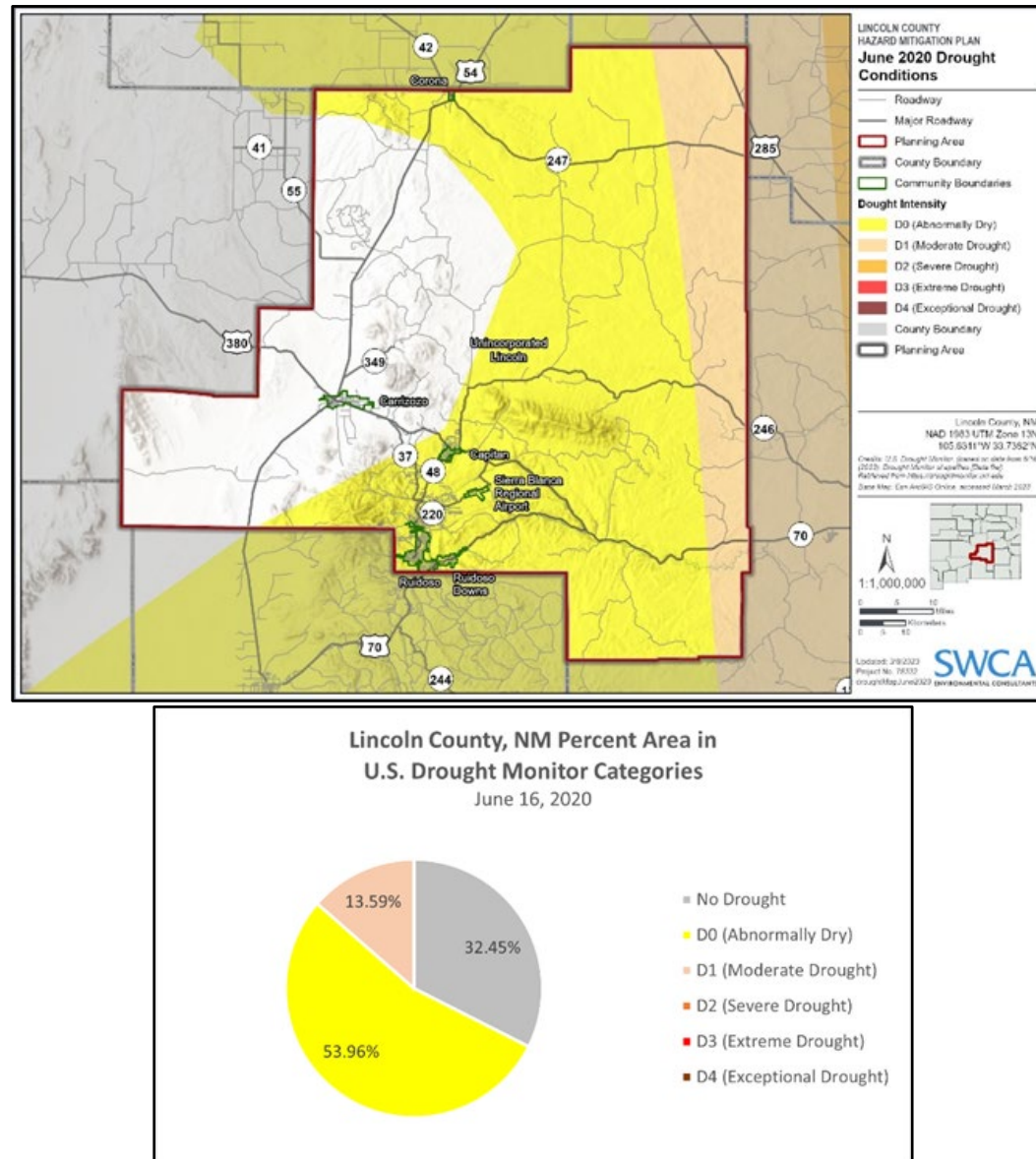


Figure 5-75: 2021 Lincoln County Drought Conditions Map and Severity Monitoring

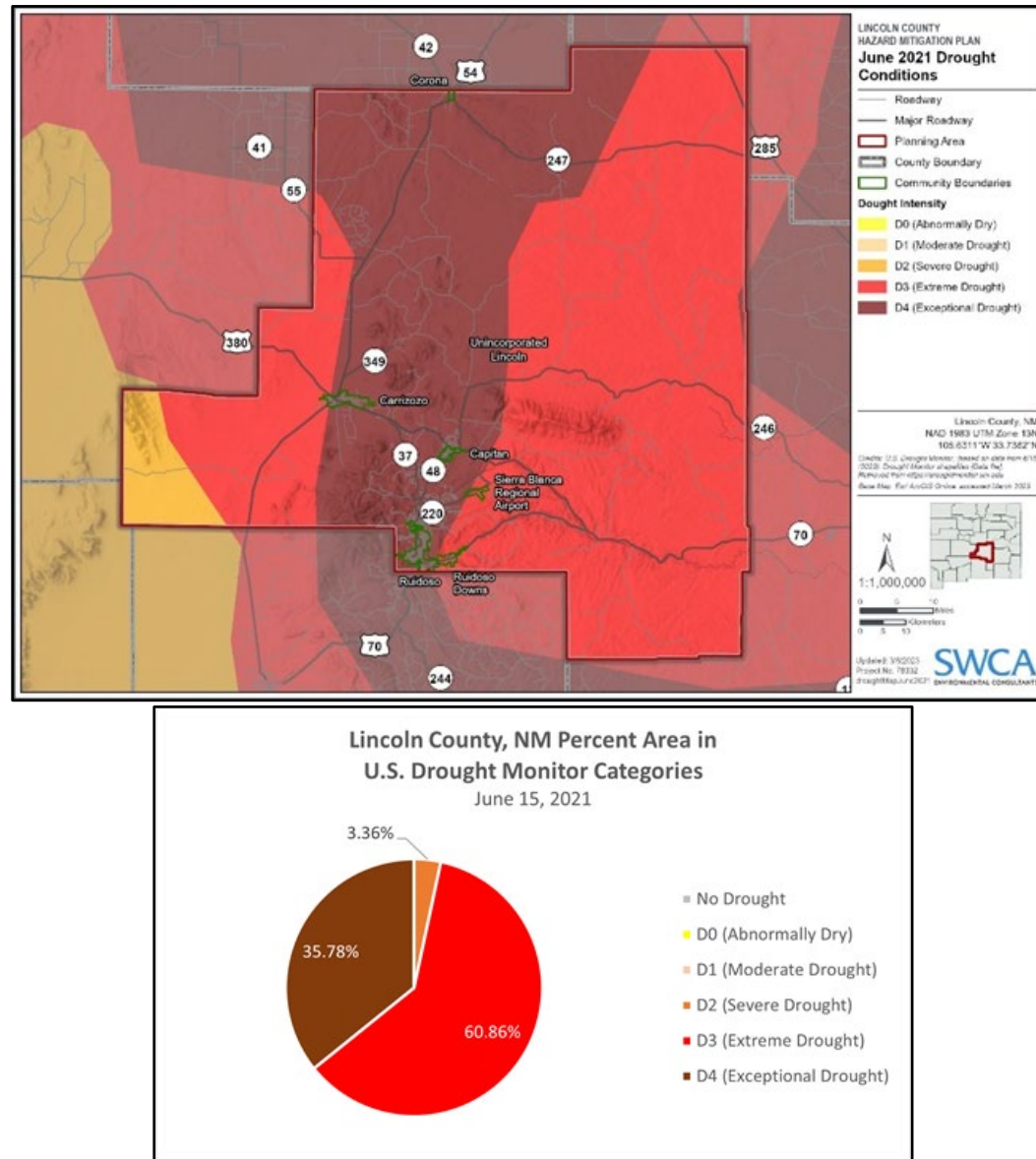
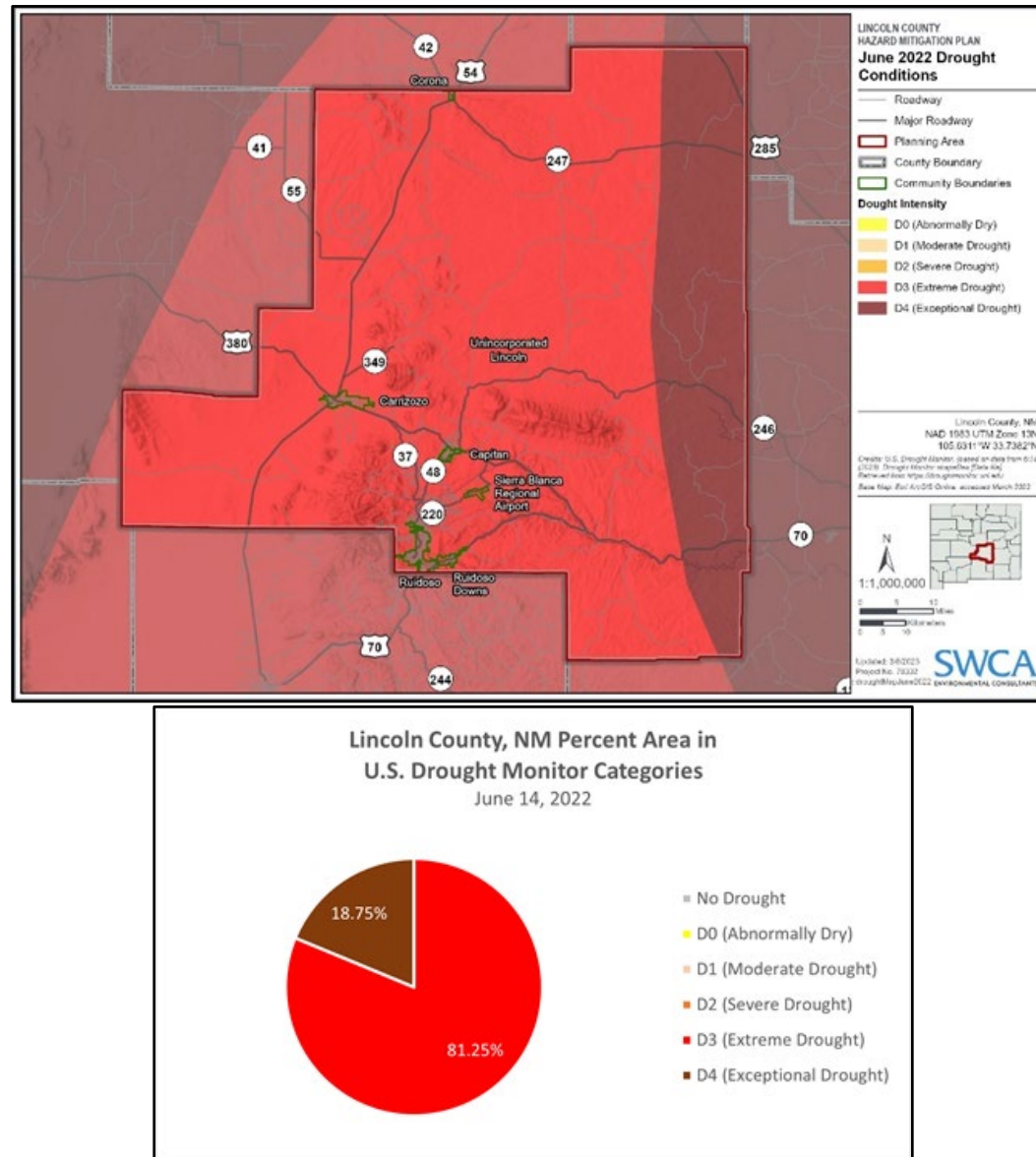


Figure 5-76: 2022 Lincoln County Drought Conditions Map and Severity Monitoring



### 5.3.6.3 Location and Extent per Participating Jurisdiction

#### Lincoln County

Lincoln County has experienced some level of drought conditions consistently since November 2017. Droughts are caused by a variety of factors. Per the 2004 journal article by McCabe et al., *Pacific and Atlantic Ocean Influences on Multidecadal Drought Frequency in the United States*, it is shown that conditions in the North Atlantic Ocean and the Eastern Pacific Ocean play a significant role in determining the amount of precipitation that New Mexico and the rest of the country receive. Studies show current conditions in those two oceans are similar to conditions that existed during the severe drought of the late 1940s and 1950s in New Mexico.

Drought is a regular event in all areas of Lincoln County, occurring in recurring cycles. Experts predict that drought conditions are likely to continue for the foreseeable future. The vegetation conditions across the county may range from pre-drought to severe drought conditions.

The majority of Lincoln County is dominated by a high desert, with grasslands, piñon-juniper forests, ponderosa pine forests, and dry mixed conifer forests occurring at progressively higher elevations. Stand densities in untreated forest are higher than historical norms. As of 2014, beetle and insect damage are at epidemic proportions. This combination of insects, disease, drought, and fire caused stress are responsible for significant mortality in some stands/hillsides and is expected to continue. This mortality increases fire risk while dead trees hold needles and will contribute to increased fuel loading as dead trees fall to the forest floor.

Drinking water systems throughout the county have been impacted during the drought periods. Wells should be upkept with regular maintenance and cleanliness checks, so water loss is not an issue. Due to numerous years of ongoing drought, many drinking water wells are below their normal water production. Therefore, maintaining wells and infrastructure is paramount to ensure that the public has access to drinking water.

In every drought, agriculture is adversely impacted, especially in non-irrigated areas such as dry land farms and rangelands. Droughts impact individuals (farm owners, tenants, and farm laborers), the agricultural industry and related sectors, and tourism and recreation. Drought reduces the viability and variety of crops that local produces can grow and can result in large losses if severe drought occurs during the growing season. Droughts impacts on tourism and recreation are mainly related to water resources that may dry, reducing visitation. Scenic views are impacted by declining forest health and the impacts of the drought-wildfire-flood cycle. Drought can also strain local water resources which can make water allocation difficult during peak tourism seasons.

Following extended periods of drought and severe drought, there is increased danger of forest and wildland fires. Loss of forests and trees increases erosion, causing serious damage to aquatic life, irrigation, and power development by heavy silting of streams, reservoirs, and rivers. Primary areas of concern for droughts impact on agriculture are north US380 and the Hondo Valley.

The majority of Lincoln County is considered rural with many ranchers raising cattle, horses, and sheep. Drought significantly impacts livestock feed by reducing the available grass and browse. In the past ranchers had to liquidate herds to save the landscape. Any drought will cause direct impact to the farmers and ranchers, which will have economic impacts. Between 2012 and 2022, the USDA issued a disaster designation in the county every year except 2016 and 2017 (USDA 2023).

Per the PDSI (see Figure 5-64), the magnitude for drought in Lincoln County is anticipated to range from near normal through severe drought. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in 4 of the 6 assessed years. In 2017 none of the unincorporated county was under drought conditions and abnormal dryness was only experienced by 8% of the county. In 2018, 83% of the county was experiencing severe drought and 15% was experiencing extreme drought. 2019 again saw low drought severity with 65% of the county experiencing no drought and 34% experiencing abnormal dryness. 2020 was slightly drier with 53% under abnormal dryness, 32% experiencing no drought, and 14% experiencing moderate drought. 2021 saw high drought occurrences with 65% of the county under extreme drought and 35% experiencing exceptional conditions. 2022 saw a similar trend with 81% under extreme drought and 18% experiencing exceptional drought in the month of June. The extent of drought in unincorporated Lincoln County ranges from abnormally dry conditions up through exceptional drought.

### **Village of Ruidoso**

The Village of Ruidoso completed a water conservation plan in December of 2015 which identifies and maps water sources, distribution, and use analysis. The Village submits a water conservation report to the State each year. A common trend for the resort town of Ruidoso is peaking residential and commercial use during July when tourism visitation is highest. The Village relies on a mix of surface and ground water, primarily the Rio Ruidoso and Eagle Creek watersheds. Even though the Village typically relies on groundwater, towards the end of 2022 and in the beginning of 2023 the Village was able to use surface water due to high Eagle Creek stream flows. This allowed for groundwater aquifer recharge. Drought also impacts the production of drinking water wells. Wells and the water delivery system must be kept well maintained in order to get all the water available to the public. Any wasted water from leaks or faulty equipment is a waste and may impact the delivery of necessary water. When drought occurs, the production of water wells drops.

The Village experienced extreme drought every year except 2017 and 2019 however, abnormal dryness persisted through all years. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in three of the six assessed years. Per the PDSI (see Figure 5-68), the magnitude for drought in Ruidoso is anticipated to range from near normal through severe drought. In 2017, the Village did not experience drought in June. In 2018, 100% of the Village was under severe drought conditions. June 2019 again saw low drought severity with no portion of the Village experiencing drought. 2020 was slightly drier and Ruidoso experienced abnormal dryness in June. 2021 saw high drought occurrences and 100% of the Village experience exceptional drought. 2022 was still high severity drought and in June, Ruidoso was experiencing extreme drought. Extent of drought in the Village of Ruidoso ranges from no drought conditions up to exceptional drought.

### **City of Ruidoso Downs**

During the assessed period of 2017-2022, the city experienced moderate to severe drought in every year except 2017 and 2019 when the maximum drought level reached was abnormal dryness. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in 3 of the 6 assessed years. Per the PDSI (see Figure 5-68), the magnitude for drought for the City of Ruidoso Downs is anticipated to range from near normal through severe drought. In 2017 the city did not experience drought in June. In 2018, 100% of the Village was under severe drought conditions. June of 2019 again saw low drought severity with no portion of the city experiencing drought. 2020 was slightly drier and Ruidoso Downs experienced abnormal dryness in June. In June 2021, a majority

of the city experienced extreme drought with the western portion being categorized as exceptional drought. In June 2022 the city was in extreme drought conditions. Extent of drought in the City of Ruidoso Downs ranges from no drought conditions up to exceptional drought.

### **Town of Carrizozo**

Carrizozo is primarily a rural community with a strong presence of agriculture and ranching surrounding the town. During the 6-year assessment period of 2017-2022, Carrizozo experienced drought conditions similar to the unincorporated county. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in 3 of the 6 assessed years. 2017 and 2019 saw a maximum drought severity abnormal dryness which is categorized as low risk years. In the remaining four years, the town experienced drought ranging from moderate to exceptional drought. In terms of the PDSI, the magnitude for drought in the Town of Carrizozo is anticipated to range from near normal through severe drought. In 2017, Carrizozo did not experience drought in June. In 2018, 100% of the town was under severe drought conditions. In both June of 2019 and 2020, Carrizozo did not experience any level of drought in June. All of the town was categorized as exceptional drought in June 2021. Again, in June of 2022, extreme drought conditions covered all of the town. Extent of drought in the Town of Carrizozo ranges from no drought conditions up to exceptional drought.

### **Village of Capitan**

Similar to Carrizozo, Capitan has a high presence of ranching and agriculture that is impacted by severe drought. The magnitude for drought in the Village of Capitan is anticipated to range from near normal through severe drought according to the PDSI. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in 3 of the 6 assessed years. The years of 2017 and 2019, just as in the rest of the county, did not reach drought conditions that would pose significant hazard to the Village. In addition to concerns with agricultural viability, extended periods of drought can impact WUI communities and increase air quality and fire threat. In 2017 the Village did not experience drought in June. In 2018, 100% of the Village was under severe drought conditions. June of 2019 again saw low drought severity with none of Capitan experiencing drought. 2020 only saw the Village only reached abnormal dryness. In June 2021, most of Capitan experienced exceptional drought. In June 2022, the Village was experiencing extreme drought. Extent of drought in the Village of Capitan ranges from no drought conditions up to exceptional drought.

### **Village of Corona**

Drought magnitude for the Village of Corona is anticipated to match that of the unincorporated county with a PDSI range from near normal through severe drought. Drought probability was determined based on the number of years where drought ranging from moderate to exceptional was experienced in the month of June. For the unincorporated portion of the county, these levels of drought were present in June in 3 of the 6 assessed years. A particular concern for the Village is compounding weather impact of drought, wind, and fire. Corona already experiences a high average wind speed; unsecured soil adds to concerns for air quality, windstorms, and wildfire. In 2017 the Village of Corona did not experience drought during June. In 2018, 100% of the Village was under extreme drought conditions. June of 2019 returned to low drought severity with no portion of the city experiencing drought. 2020 also saw low severity and Corona experienced abnormal dryness in June. In June 2021, the entire village experienced exceptional drought. In June 2022, Corona was experiencing extreme drought. Extent of drought in the Village of Corona ranges from no drought conditions up to exceptional drought.

#### 5.3.6.4 Probability of Occurrence

When calculating drought probability, the Planning Team agreed to use the PRI, explained further in Figure 5-110. The probability in Figure 5-77 below is calculated based on the number of years in the last six that the hazard occurred. The Planning Team decided to assess this hazard based on years with moderate to exceptional drought.

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.
- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data; for drought, there were 15 years of data. The annual probability for 2017 to 2022 and over time is shown below. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. For drought, the Planning Team determined that any Drought Monitor category moderate and above would be considered as a ‘drought occurrence’ for the purposes of this analysis. The June Drought Monitor Map for 2017 through 2022 was used for the analysis.

By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change.

For the annual drought probability for all recorded occurrences, all agriculture events are included in the count. Therefore, the Planning Team recognized that for Drought, they would not compare the 2017 to 2022 annual percentage probability with annual percent probability for all recorded events. Instead, the annual percent probability for all recorded events would be considered as separate data for consideration and not in comparison to the 2017 to 2022 annual percent probability.

**Figure 5-77: Drought Probability of Occurrence**

Jurisdiction	Drought Probability Based on Past Occurrence				
	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 2007-2022	Annual Probability 2007-2022
Lincoln County	4	Likely	83.3%	51	100% (319%)
Village of Ruidoso	3	Likely	50%	49	100% (306%)
City of Ruidoso Downs	3	Likely	50%	49	100% (306%)
Town of Carrizozo	3	Likely	50%	49	100% (306%)
Village of Capitan	3	Likely	50%	49	100% (306%)

	Drought Probability Based on Past Occurrence				
Jurisdiction	Past Occurrences 2017-2022	Probability 2017-2022 (Used in PRI)	Annual Probability 2017-2022	All Recorded Occurrences 2007-2022	Annual Probability 2007-2022
Village of Corona	3	Likely	50%	50	100% (313%)

#### 5.3.6.5 Climate Change Impacts

Climate change is expected to cause more intense and lengthened periods of drought that could cause strain on water resources impacting communities and ecosystem health. Multiple sources have shown that climate change will reduce annual snowpack, increase evaporation loss, and reduce aquifer recharge rates. These factors all contribute to water resources being below levels necessary to sustain vegetation communities. One factor that contributes toward socioeconomic drought is the climatic impact on reservoirs and water resources. A major contributing factor is an increase in evaporative water loss due to higher average temperatures and earlier warming temperatures. These reduce community water supply before it can be used, limiting a community's ability to correctly plan for water retention and leaving less water in systems for downstream communities and habitats. A more in-depth discussion about the interconnection of drought, flood, and wildfire is provided in Section 5.2.1, Cascading Events.

During the 6-year assessment period, the frequency of observed drought in the unincorporated county and the five assessed participating jurisdictions decreased when compared to the entire drought record history. Frequency alone is not satisfactory to assess the impacts of drought especially in the long term. The severity and duration of drought periods must also be considered to gain an accurate understanding of how communities, resources, and ecosystems are impacted by drought events. During the 2010-2016 assessment period, 2011 and 2013 had drought severity and duration similar to what was observed in 2020, 2021, and 2022 when exceptional drought conditions persisted for over three months. Without seasonal relief from drought, water resources may be depleted, and forest health will decline. As discussed above, climate change is anticipated to raise annual average temperatures and contribute to sporadic storm events that can exacerbate drought severity and reduce the soils' ability to uptake precipitation.

### 5.3.7 Dam Failure

#### 5.3.7.1 Description

As discussed shortly in the flood/ flashflood section, dam failure is another flood-related hazard that has the potential to impact communities in Lincoln County. A dam impounds water in an upstream area or reservoir. The amount of water impounded is measured in acre-feet (i.e., the volume of water that covers an acre of land to a depth of one foot).

Any malfunction or abnormality outside the design assumptions and parameters that adversely affects a dam's primary function is considered a dam failure. A catastrophic dam failure is characterized by a sudden, rapid, and uncontrolled release of impounded water. The sudden release of water may result in downstream flooding affecting life, property, or both. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, vandalism, or acts of terrorism can cause dam failures. The sudden release of the impounded water can occur during a flood that overtops or damages a dam, or it can occur on a clear day if the dam has not been properly constructed or maintained. The threat of a dam failure increases as existing dams get older.

The Office of the State Engineer, Dam Safety Bureau, regulates the design, construction, reconstruction, modification, removal, abandonment, inspection, operation, and maintenance of dams more than 25 feet high with a capacity exceeding 15 acre-feet or dams with a capacity of 50 acre-feet or greater that is 6 feet or more in height. Federal dam owners are required to obtain a permit for a new dam; however, the Office of the State Engineer by law does regulate the continued safety of federal dams. Dams 10 feet or less in height, or dams that store 10 acre-feet or less, generally are not regulated and are considered non-jurisdictional dams. However, if a non-jurisdictional dam threatens life and property due to an unsafe condition, the state engineer can issue a safety order to the owner requiring action to remove the threat.

The Office of the State Engineer Dam Safety Program has not yet established goals and objectives for high hazard potential dams or a listing of the high hazard dams that are a priority. The establishment of these materials is a prerequisite for dam owners or managers to apply for funding under the FEMA High Hazard Potential Dam (HHPD) program. This grant supports technical assistance, planning, design, and construction for rehabilitation activities that reduce dam risk. All participating jurisdictions expressed interest in the development and participation in HHPD once the state establishes the prerequisites.

Standard practice among federal and state dam safety offices is to classify a dam according to the potential impact a dam failure (breach) or mis-operation (unscheduled release) would have on downstream areas. The hazard potential classification system categorizes dams based on the probable loss of human life and the impacts on economic, environmental, and lifeline facilities, such as critical transportation systems and utilities. The Dam Hazard Potential Classification definitions are shown in Figure 5-78.

**Figure 5-78: Dam Failure Hazard Potential Classifications**

Category	Loss of Life	State Ranking
Low	None Expected	Low economic or environmental losses. Losses principally limited to dam owner's property.
Significant	None Expected	Economic loss, environmental damage, and disruption of lifeline facilities. Predominantly located in rural areas.
High	Expected	Based only on loss of life.

#### **5.3.7.2 Previous Occurrence**

There have been no recorded dam failure events in Lincoln County or the assessed communities.

#### **5.3.7.3 Location and Extent per Participating Jurisdiction**

##### **Lincoln County**

According to the National Inventory of Dams (USACE 2023), there are four dams located within Lincoln County. Dams in neighboring jurisdictions that may also impact Lincoln County include the Lake Mescalero Dam. Figure 5-79 provides an overview of those facilities using data from the NID and Figure 5-80 illustrates the locations. Hazard classifications were provided by the Office of the State Engineer utilizing Appendix H of the 2018 State Hazard Mitigation Plan. It is important to note that Lake Mescalero Dam is located outside the County jurisdictional boundary. However, Lincoln County, Village of Ruidoso, and City of Ruidoso Downs would be impacted at various levels depending on if there was a breach or failure. Extent for dam failure ranges from flood depths of 1.3 to 64 feet in unincorporated Lincoln County. This includes Alto Dam with an extent of 1.3–23 feet of flood depth, Bonito Dam ranging from 12–64 feet

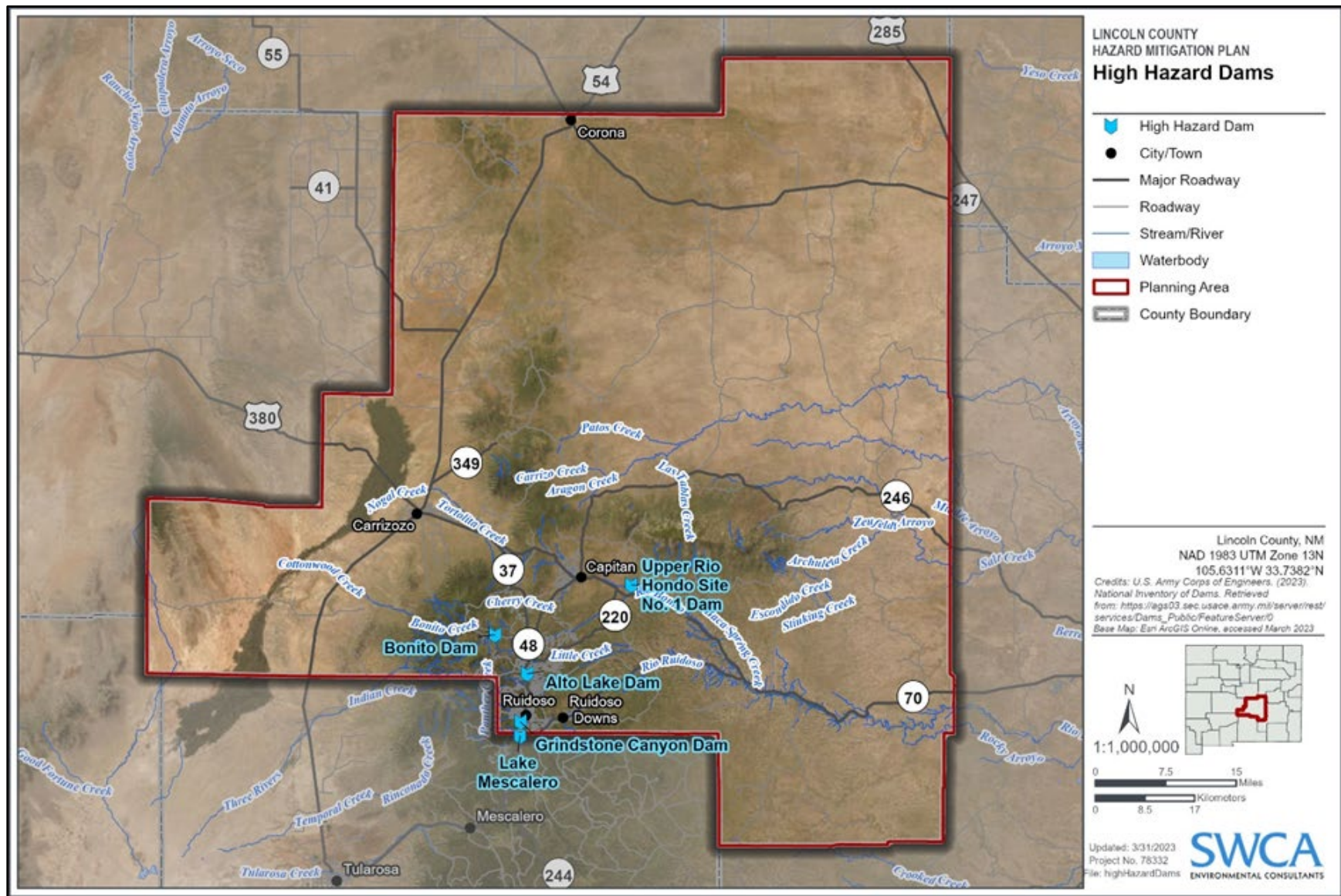
of flood depth, Grindstone Dam with a flood depth range of 3–33 feet, and Upper Rio Hondo Dam with a flood depth extent ranging from 9–57 feet.

**Figure 5-79: Overview of Dams throughout Lincoln County**

Name	River	Owner	Purpose	EAP? (Y/N)	Classification
Bonito Dam	Rio Bonito	City of Alamogordo	Water Supply	Y	High
Alto Lake Dam	Eagle Creek	Village of Ruidoso	Water Supply	Y	High
Grindstone Canyon Dam	Rui Ruidoso	Village of Ruidoso	Water Supply	Y	High
Upper Rio Hondo Site No. 1 Dam	Salado Creek and Gyp Spring Canyon	Upper Rio Hondo Soil & Water Conservation District	Flood Control	Y	High
Lake Mescalero (located outside Lincoln County)	Carrizo Creek	BIA	Water Supply, Recreation	Y	High

The Office of the State Engineer defines high hazard dams as any dam where failure or mis-operation will probably cause loss of life (from the New Mexico Rules and Regulations Governing Dam Design, Construction and Dam Safety, Section 19.25.12.10 NMAC). An EAP is required for all high hazard dams. The EAP includes maps of expected inundation areas ranging from sunny day breach as well as flood condition breaching that account for dam failures under normal capacity conditions and following heavy precipitation where dam capacity is reached. The EAP also identifies preparedness and mitigation actions to reduce property damage, injury, or loss of life due to a dam breach incident. EAPs are on file with the Office of the State Engineer, the dam owner, operator, New Mexico DHSEM, and entities that have responsibilities in dam breach response.

**Figure 5-80: High Hazard Dam Locations throughout Lincoln County**

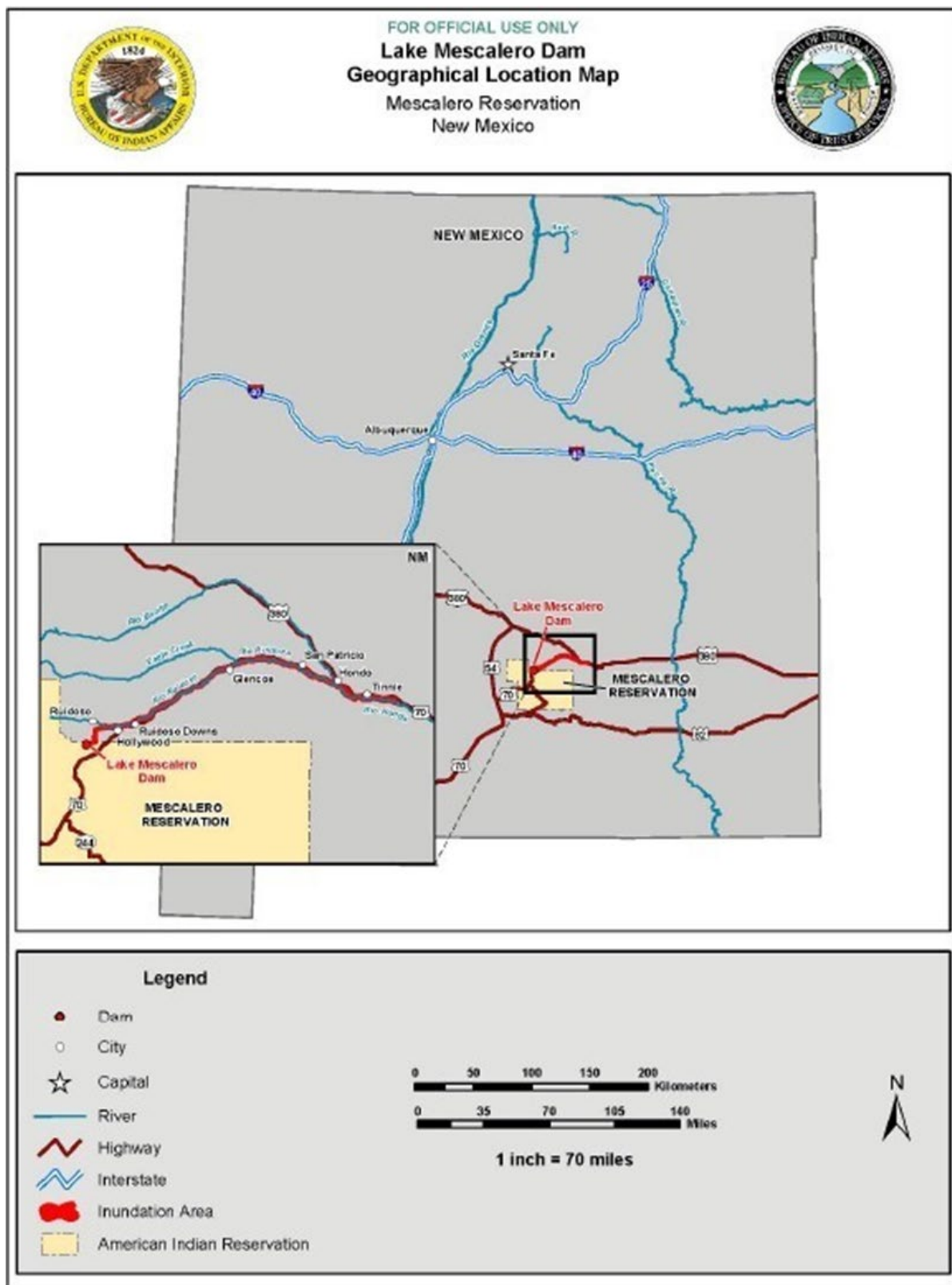


Lake Mescalero Dam, Upper Rio Hondo Dam, Bonito Dam, Grindstone Canyon Dam, and Alto Dam have EAPs. The EAPs were reviewed for relevant information to include in the HMP Update. Each EAP has an inundation map based on modeling the dam failure under various operating conditions and an evacuation map that has been prepared from the inundation mapping. General maps showing the location of downstream inundation areas are shown in Figures 5-81 through 5-85.

Downstream impacts from a dam failure incident may be severe. As noted in the flood portion of this section, the worst-case scenario for flooding would result from failure of the Lake Mescalero and Grindstone Canyon dams which would result in the water flow in the Rio Ruidoso increasing to 40 feet above the streambed through Ruidoso and Ruidoso Downs. After Ruidoso Downs it would be 20 feet above the streambed through the Hondo Valley.

**Mescalero Lake Dam** is located outside Lincoln County, is owned by the Bureau of Indian Affairs (BIA) and is managed by the Mescalero Apache Tribe. The dam is a zoned earth fill 1 embankment composed of a random-fill section, an upstream impervious zone, and a graded gravel filter zone. The dam has a maximum height of 85 feet, and it holds a total of 3,000 acre-feet of water. Lake Mescalero Dam is classified as a high hazard facility according to the 2002 Safety Evaluation of Existing Dams (SEED) analysis report. Inundation associated with the potential failure of this dam could impact homes and commercial sites existing in the floodplain of Carrizo Valley of unincorporated Lincoln County, including two lodges within 2 miles downstream from the dam and a significant number of homes within 2 miles downstream from the dam. The floodplain downstream of the dam extends past these homes and directly into portions of the town of Ruidoso and Ruidoso Downs. The location map shown in Figure 5-81 also shows the general Inundation Area. For additional information contact <https://mescaleroapachetribe.com/>.

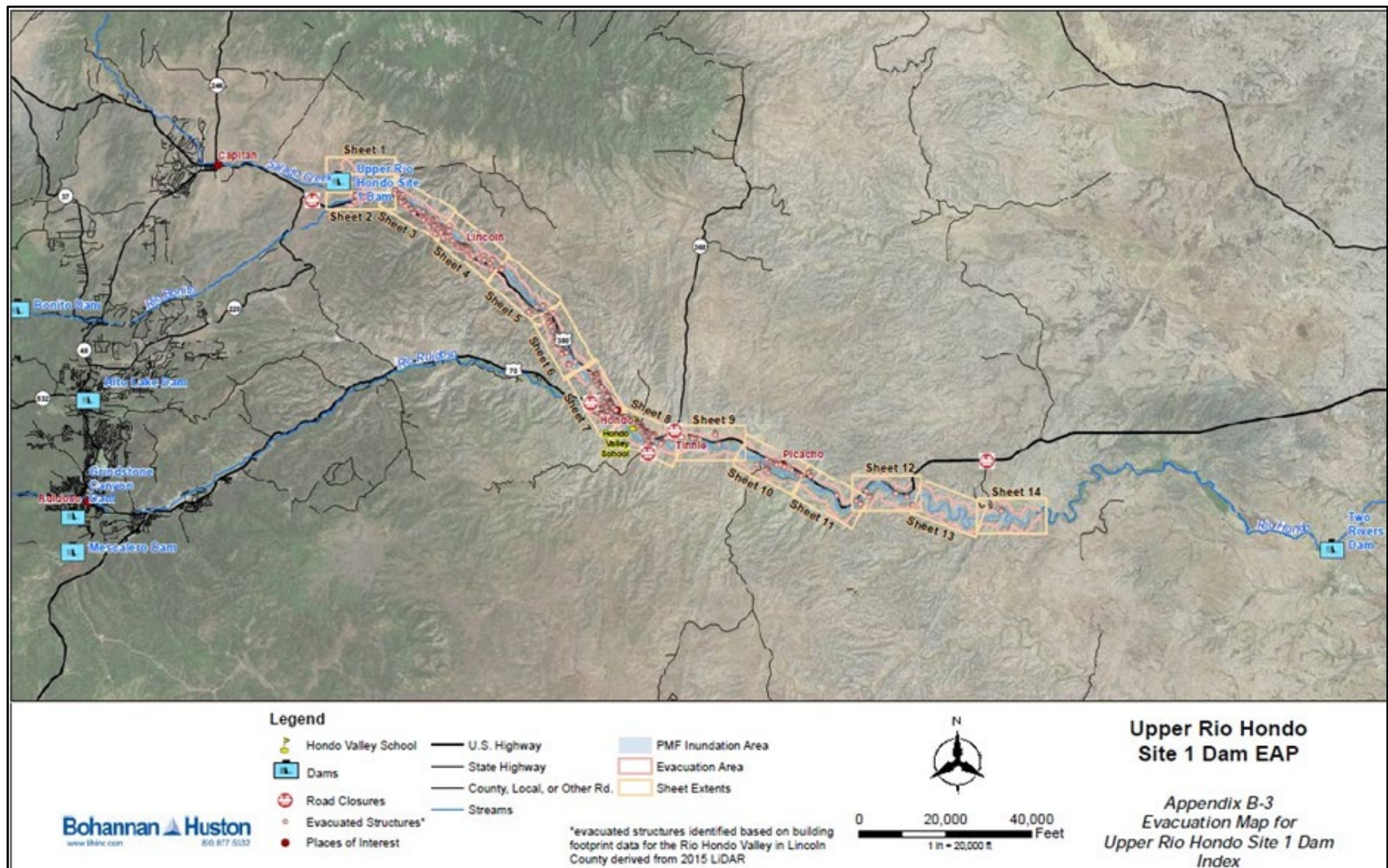
Figure 5-81: Location Map showing General Inundation Area for Mescalero Lake Dam



Source: Bureau of Indian Affairs (2014).

**Upper Rio Hondo Dam (Salado)** is located in unincorporated Lincoln County, it is owned and managed by the Upper Hondo Soil and Water Conservation District. The dam is 90.5 feet high, 690 feet long, and holds a total of 7,120 acre-feet of water. It is classified as a high hazard dam. Inundation associated with the potential failure of this dam could impact any potentially occupied area along the Rio Bonito and Rio Hondo floodplains, including Lincoln, Hondo, Tinnie, and Picacho. It would also potentially impact the following major roads: US380 (Billy the Kid Trail) from the State Highway 220 intersection to the juncture at County Road E-33 (approximately where the highway leaves the Rio Hondo Valley), US70 prior to the US380 juncture, State Highway 368 approximately 0.2 miles north of the US380/70, and Alamo Canyon Road prior to the US380/70 juncture. The evacuation map shown in Figure 5-82 also shows the general Inundation Area. For additional information contact <https://uhswcd.com>.

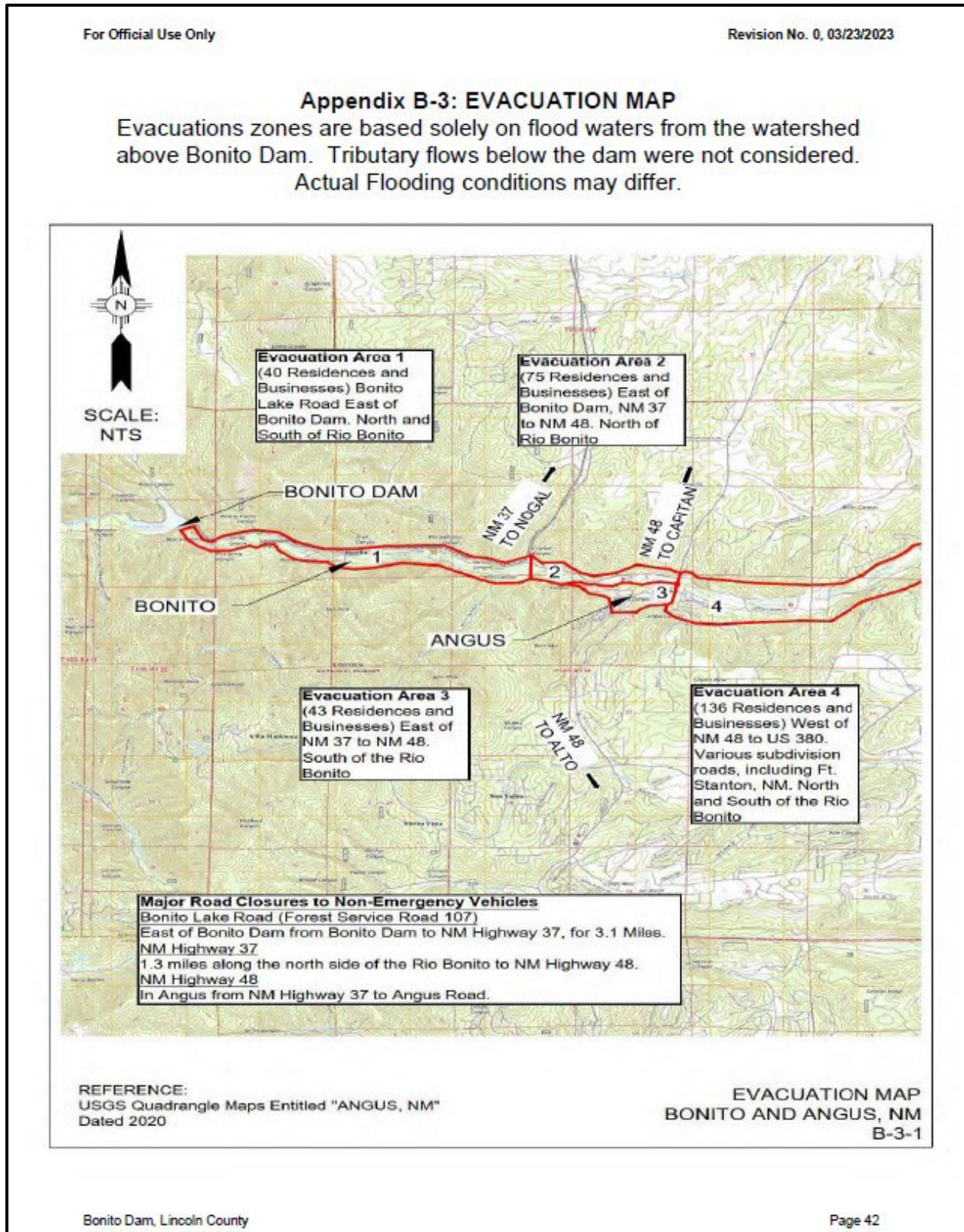
Figure 5-82: Evacuation Map showing General Inundation Area for Upper Rio Hondo Dam



Source: Upper Hondo Soil and Water Conservation District (2018).

**Bonito Dam** is owned and operated by the City of Alamogordo; the primary contact is the Utilities Department Director. The dam is 113 feet high and 480 feet long and holds a total of 1,273.6 acre- feet of water. It is classified as a high hazard dam. The Bonito Dam is located approximately 9.5 miles northwest of the Village of Ruidoso. Inundation associated with the potential failure of this dam could impact all occupied structures along the floodplain of Rio Bonito from the Dam along State Highway 37 through the State Highway 48 bridge crossing, including the unincorporated Angus. Additional occupied structures also potentially impacted are along the Rio Bonito from the Rio Bonito State Highway 48 bridge crossing to the US380 bridge crossing and through to the confluence with the Rio Ruidoso; this includes unincorporated Fort Stanton and Lincoln. In addition, occupied structures along the Rio Hondo from the intersection of US380 to US70 from mile post 283 to the Lincoln and Chaves County line and on to Two Rivers Dam (approximately 16 miles southwest of Roswell). It would also potentially impact the following roads: Bonito Lake Road east of the Dam to State Highway 37, State Highway 37 to State Highway 48, including the Rio Bonito crossing; State Highway 220 from mile post 13 to 15, including the crossing at Fort Stanton; US380 from mile post 90 to US70 at mile post 285; US70 from mile post 283 to 300; and rural roads that run along the Rio Hondo from US70 at mile post 300 to the Two Rivers Dam. The first page of the series of Evacuation Maps for Bonito Dam is shown in Figure 5-83. For additional information contact [www.ci.alamogordo.nm.us/827/Utilities](http://www.ci.alamogordo.nm.us/827/Utilities).

Figure 5-83: Page 1 of Evacuation Map for Bonito Dam



Source: City of Alamogordo (2023).

### **Village of Ruidoso**

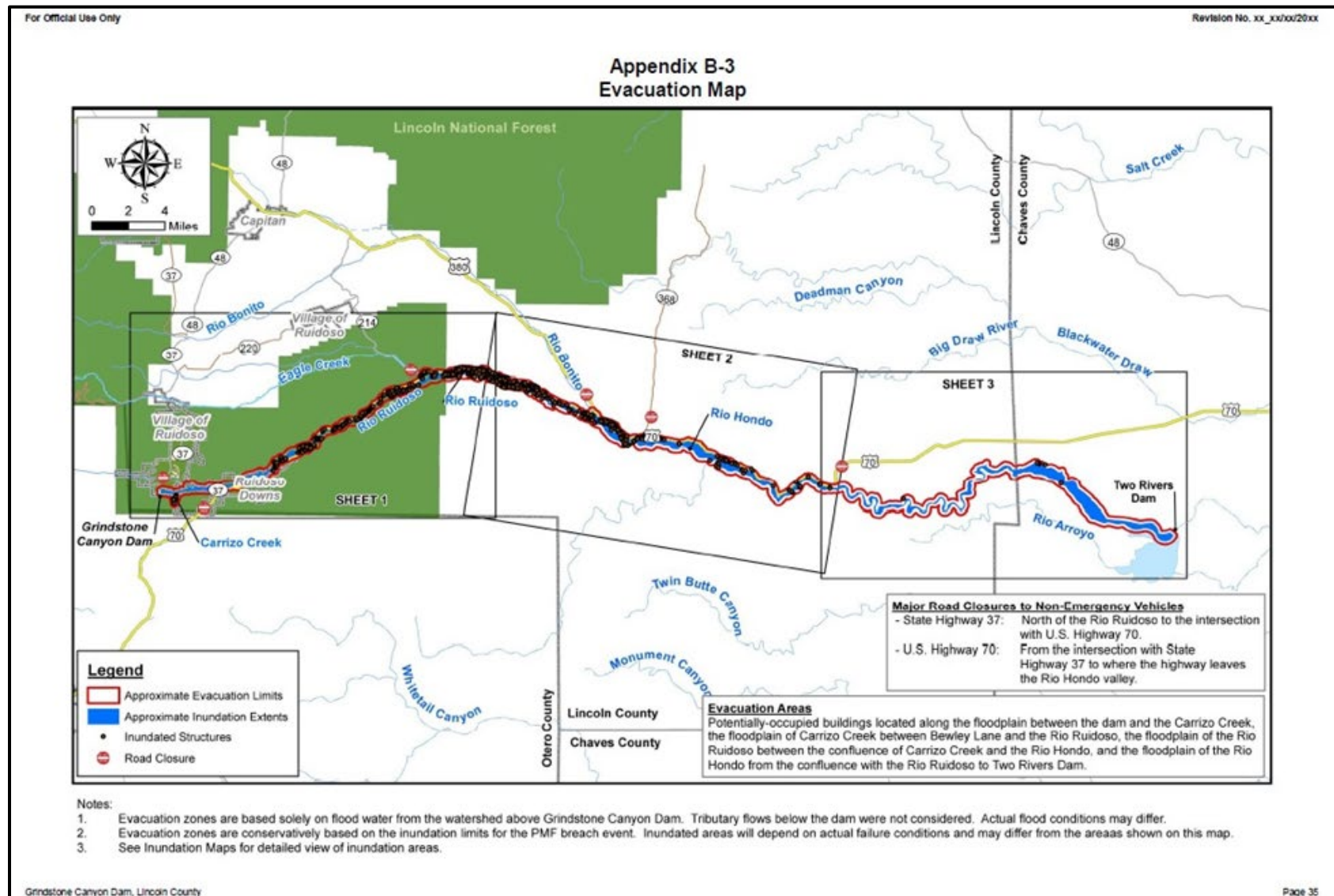
The Village of Ruidoso owns and operates two dams; the Grindstone Canyon Dam is located on the southwestern outskirts of the village, and the Alto Dam is located just 4.3 miles from the center of the village. Out of the two, a dam failure from the Grindstone Canyon Dam would have the most significant impact to Ruidoso. The Bonito Dam is also located within the jurisdictional boundary of the Village of Ruidoso. However, it is owned and managed by the City of Alamogordo. Dam failure extent for the Village of Ruidoso ranges from depths of 1.3 to 33 feet. This includes Alto Dam with an extent of 1.3–23 feet of flood depth and Grindstone dam with a flood depth range of 3–33 feet.

**Grindstone Canyon Dam** is owned by the Village of Ruidoso and managed by the Water Production Manager. The dam is 123 feet high and 1,304 feet long and holds a total of 1,793.4 acre-feet of water. It is classified as a high hazard dam. Inundation associated with the potential failure of this dam could impact the following list of communities: potentially occupied structures located along the floodplain between the dam and Carrizo Creek, the floodplain of Carrizo Creek between Bewley Lane and Rio Ruidoso, the floodplain of the Rio Ruidoso between the confluence of Carrizo Creek and Rio Hondo, and the floodplain of the Rio Hondo from the confluence with the Rio Ruidoso to Two Rivers Dam. It would also potentially impact the following major roads: State Highway 37 (north of the Rio Ruidoso to the intersection with US70) and US70 (from the intersection with State Highway 37 to where the highway leaves the Rio Hondo valley). The Evacuation Map shown in Figure 5-84 also shows the general Inundation Area. For additional information contact the Village of Ruidoso Water and Sewer Department at <https://www.ruidoso-nm.gov/water-sewer>.

The Water Production Manager provided information on completed and ongoing maintenance-related projects.

- The Grindstone Canyon Dam Drain Cleaning Project: this project included cleaning and leveling 55 vertical floor drains, 35 vertical ceiling drains, six horizontal drains, on the north abutment gallery wall, and seven horizontal drains on the south abutment gallery wall. The project also included grading the gallery and portal entrance to improve drainage from the gallery. The grading work exposed the original concrete floor and an approximately 2-inch drainage trench. The project also included installing a removable weir at the portal entrance to measure seepage flow rates for long-term monitoring.
- Condition Assessment for Grindstone Dam Spillway and North Dam Crest Concrete Repairs: This project included reviewing the assessment findings and discussing repair options with the Village and the NMOSE Dam Safety. The contractor working on this assessment is now preparing 60-percent plans and specifications for the proposed repairs.
- The Grindstone Canyon Outlet Works Video Surveys: This survey was performed by a contractor who encountered sediment when conducting the video survey. The sediment was encountered in the Grindstone Canyon 48-inch outlet conduit, which prevented completion of the video survey. The contractor team met with the Village of Ruidoso and the NMOSE to discuss the 48-inch outlet conduit condition. NMOSE requested removal of the sediment and completion of the video survey as soon as possible. the Contractor and team are currently working with the Village of Ruidoso on the sediment removal plan and schedule. Surveys were completed of Grindstone Canyon Dam crest for long-term monitoring in June and August.

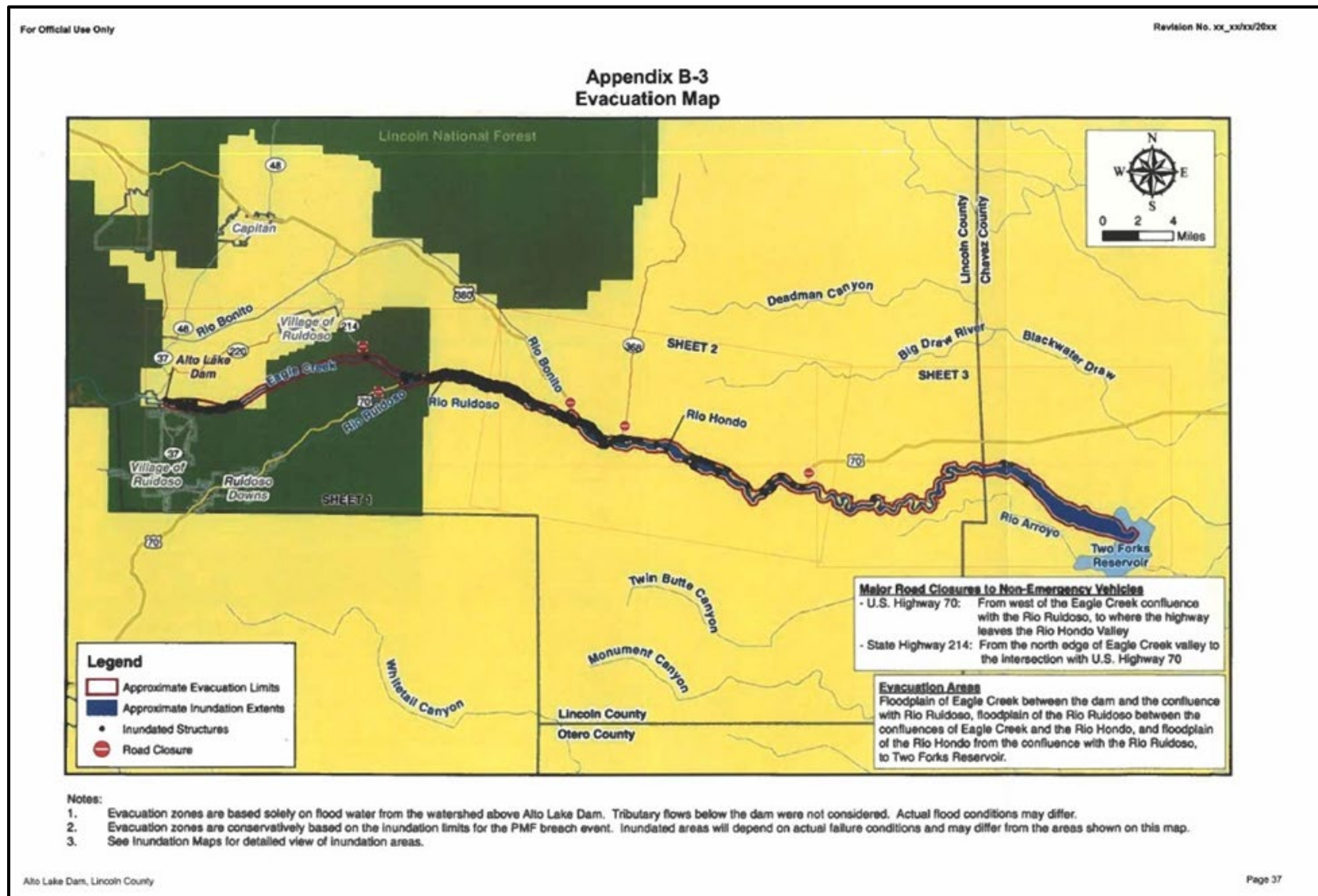
Figure 5-84: Evacuation Map showing General Inundation Area for Grindstone Canyon Dam



Source: Village of Ruidoso (2016).

**Alto Dam** is owned by the Village of Ruidoso and managed by the Water Production Manager. The dam is 51.1 feet high and 362 feet long and holds a total of 299.7 acre-feet of water. It is classified as a high hazard dam. Inundation associated with the potential failure of this dam could impact all occupied structures along the floodplain of Eagle Creek between the dam and the confluence with Rio Ruidoso, as well as the floodplain of the Rio Ruidoso between the confluences of Eagle Creek and the Rio Hondo, and the floodplain of the Rio Hondo from the confluence with the Rio Ruidoso to Two Forks Reservoir. It would also potentially impact the following major roads: US70 (from west of the Eagle Creek confluence with the Rio Ruidoso to where the Highway leaves the Rio Hondo valley) and State Highway 214 (from the north edge of Eagle Creek valley to the intersection with US70). The Water Production Manager has recently begun preliminary planning for an EAP update. The evacuation map shown in Figure 5-85 also shows the general Inundation Area. For additional information contact the Village of Ruidoso Water and Sewer Department at <https://www.ruidoso-nm.gov/water-sewer>.

Figure 5-85: Evacuation Map showing General Inundation Area for Alto Lake Dam



Source: Village of Ruidoso (2017).

### City of Ruidoso Downs

The City of Ruidoso Downs does not own or operate any dams. However, the community would be impacted by a dam failure of the Grindstone Canyon Dam and Mescalero Lake Dam. Dam failure extent for the City of Ruidoso Downs ranges from depths of 3 to 33 feet. This includes Grindstone dam with a flood depth range of 3–33 feet.

Grindstone Dam: Inundation associated with the potential failure of this dam would potentially impact the following list of communities: potentially occupied structures located along the floodplain between the dam and Carrizo Creek, the floodplain of Carrizo Creek between Bewley Lane and Rio Ruidoso, the floodplain of the Rio Ruidoso between the confluence of Carrizo Creek and Rio Hondo, and the floodplain of the Rio Hondo from the confluence with the Rio Ruidoso to Two Rivers Dam. It would also potentially impact the following major roads: State Highway 37 (north of the Rio Ruidoso to the intersection with US70) and US70 (from the intersection with State Highway 37 to where the highway leaves the Rio Hondo valley).

Lake Mescalero Dam: Inundation associated with the potential failure of this dam would potentially impact the following list of communities: homes and commercial sites existing in the floodplain of Carrizo Valley, including two lodges within 2 miles downstream from the dam and a significant number of homes within 2 miles downstream from the dam. The floodplain downstream of the dam extends past these homes and directly into portions of the town of Ruidoso, New Mexico.

#### 5.3.7.4 Probability of Occurrence

When calculating the probability for dam failure, the Planning Team agreed to use the PRI, explained further in Figure 5-110. Probability in Figure 5-86 below is calculated from the following criteria:

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.

In addition to the general definitions used for the PRI, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for the other hazards. Since there have been no recorded occurrences of dam failure, there is a 0% annual probability for the 2017 to 2022 time period.

**Figure 5-86: Dam Failure Probability of Occurrence**

Dam Failure Probability of Occurrence per Participating Jurisdiction		
Jurisdiction	Past Occurrences	Probability
Lincoln County	0	Unlikely
Village of Ruidoso	0	Unlikely
City of Ruidoso Downs	0	Unlikely
Town of Carrizozo	Not a Selected Hazard for Carrizozo	
Village of Capitan	Not a Selected Hazard for Capitan	
Village of Corona	Not a Selected Hazard for Corona	

### 5.3.7.5 Climate Change

Climate change is expected to disrupt water and storm cycles, increase wildfire intensity, and dry soil; all factors that combine to impact the effectiveness and safety of dams. As discussed in the severe storms section, severity and extent of storms is expected to increase as atmospheric wind cycles are disrupted by warming, specifically in polar regions. Simultaneously, temperatures are expected to increase with earlier spring warming and more intense summer heat. This temperature increase, along with a reduction in soil water retention creates conditions for catastrophic wildfire events. As soil dries from rising temperatures, and following wildfire events, the soil becomes hydrophobic, meaning it doesn't absorb water near its normal rate or will not bond with water at all. This results in storm water that carries large amounts of soil and sediment with it as it moves across the landscape in the watersheds. This transported sediment becomes trapped behind the dam and accumulates over time. This is a natural occurrence of dams that must be addressed occasionally; however, hydrophobic soil from climate change induced drought and wildfires speeds up this process, reducing the time before sedimentation must be addressed. Excess sediment behind a dam reduces the overall capacity of the dam which is of particular concern for flood attenuation dams such as the Upper Rio Honda dam. For the other dams in and around the county, reduced capacity correlates with a reduction in water supply that is a major concern for a region already experiencing drought and water supply challenges. The buildup of transported sediment also places a larger load on the dam; this could become an issue with older dams and create breach concerns during severe storm events with high precipitation totals.

## 5.4 Vulnerability Analysis Methodology

### 5.4.1 Overview

The following sections summarize the methodologies used to perform the vulnerability analysis portion of the risk assessment. For this update, the entire vulnerability analysis was either revised or updated to reflect the availability of new hazard data, 2020 census data, and changes to the process as identified by the Planning Team. Analysis of impacts to critical infrastructure, structures, and socially vulnerable populations comprise the Vulnerability Analysis for the HMP Update. The description of how the analysis differed from the HMP Update is included in Sections 5.4.2 through 5.4.4.

### 5.4.2 Critical Infrastructure

The 2018 HMP listed an 'asset inventory' in table format, identifying both critical and non-critical categories. The figures did not include addresses or geospatial identifiers. The asset inventory included critical facilities, non-critical facilities, and infrastructure. The definition of 'critical facility' that was used in the 2018 HMP was taken from the 2013 State Hazard Mitigation Plan.

For the 2023 Update, the Planning Team decided to use the term "critical infrastructure" to represent all facilities and infrastructure that meet the definition described below which is based on the 2018 State Hazard Mitigation Plan definition of "critical facility". Critical infrastructure for the purposes of this HMP Update means:

- Assets, facilities, or infrastructure that are vital to the health, safety, and well-being of community members during and after a natural disaster; or
- Assets, facilities, or infrastructure that if impacted during a natural disaster may affect response and recovery.

- Examples include locations
  - that are vital to the response or recovery effort, including utilities, transportation networks, and communication networks.
  - where public health and safety functions are performed or coordinated that house socially vulnerable populations requiring special consideration.
  - that can create secondary hazards, such as nuclear power plants and hazardous materials production or storage facilities.
  - that house socially vulnerable populations requiring special consideration.

For the 2023 Update, the Planning Team also agreed to utilize publicly available mapped layers from the Homeland Infrastructure Foundation Level Data (HIFLD) plus a publicly available government buildings layer from the New Mexico Resource Geographic Information site to identify the critical facilities to be included in the Vulnerability Analysis. The 24-data layers included in the vulnerability analysis are shown below in Figure 5-87.

**Figure 5-87: 24 Data Layers in Vulnerability Analysis**



The vulnerability of each participating jurisdiction was analyzed with respect to the impact on critical infrastructure for each hazard. The analysis below is by jurisdiction and then by hazard. The critical infrastructure map for each participating jurisdiction includes icons representing each layer of data that is publicly available. A web-based mapping tool was utilized to conduct the analysis. However, the scale for mapping in this plan is not conducive to showing the level of detail. Therefore, identification of critical infrastructure and the vulnerability to each hazard is shown in the chart below. Note that the Federal Identification Number (FID) is included for some of the locations below.

#### 5.4.2.1 Lincoln County

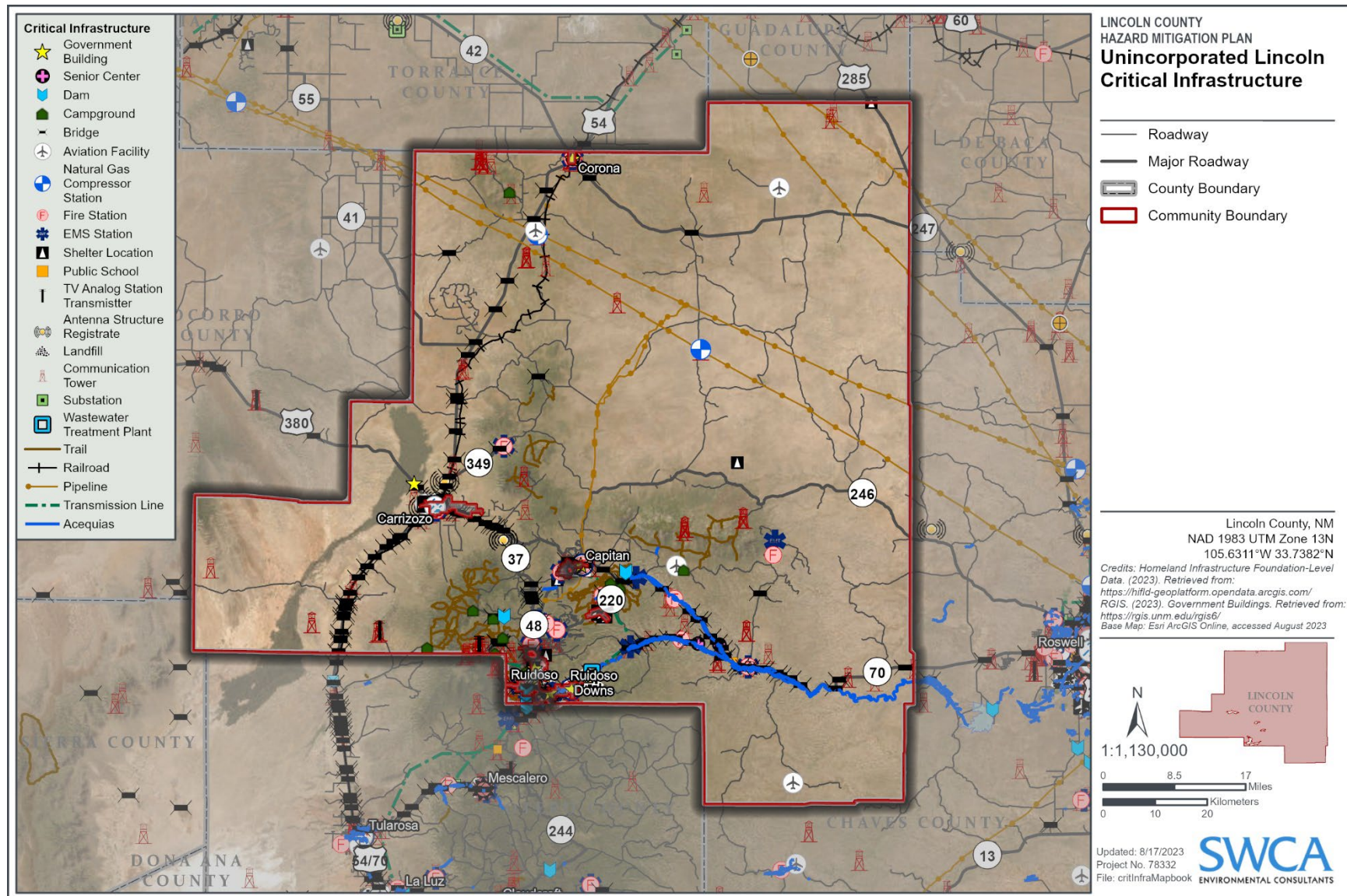
##### Changes in Development and Priorities

Regarding changes in development within the last five years, unincorporated Lincoln County has shown minimal commercial and residential development with a decrease in population. This trend is anticipated to continue over the next five years. Because the decrease has been distributed throughout the county, there has been no change to the vulnerability of natural hazards.

Wind turbine projects are being planned and implementation is expected within the next 5-year period. The locations are in the unincorporated portion of the county in the area of Corona and Capitan. As these projects are planned and implemented, vulnerability to natural hazards will be analyzed more fully.

For unincorporated Lincoln County in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-88: Map of Critical Infrastructure for Unincorporated Lincoln County



## Wildfire

Lincoln County contains a total of 215 critical infrastructure facilities (Figure 5-88). Of that total, 136 fall within the high-risk wildfire areas and 31 fall within the moderate wildfire areas. Figure 5-89 lists the names of infrastructure with high wildfire risk. Infrastructure that falls within the high wildfire hazard zone should be considered a priority for mitigation actions. Infrastructure in this category falls in a geography that is considered at high risk of wildfire events due to a combination of vegetation, topography, community proximity, and other fire ignition and spread modeling criteria. Prioritizing actions on or around these infrastructures will greatly improve a community's likelihood of minimizing wildfire hazard and ensuring continued functionality in the event of a fire and during the recovery process. Infrastructure that falls in the moderate wildfire risk category should be prioritized but is not as crucial as those deemed high risk. Infrastructure in this category is at risk of wildfire but may be more resilient or in less of a threat zone due to the surrounding landscape, past fuels management, infrastructure materials, and other contributing risk factors.

Wildfire and smoke from spring through fall can have a negative impact on tourists coming to the area for recreation opportunities. This can result in reduced revenue, taxes, and similar economic losses.

**Figure 5-89: Critical Infrastructure within Moderate/High Wildfire Zone (Lincoln County)**

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
<b>Campground</b>	
Bonito Creek (FID – 2) - <b>Moderate</b>	
<b>Bridges</b>	
27-B009 (FID 265) – 0.3 miles West (W) of US70 @ Mile Post (MP) 274 - <b>High</b>	US54 (FID 122) – 9.4 miles South (S) of NM42/Corona - <b>High</b>
NM-37 (FID 264): 12.3 miles North (N) of NM48/Angus - <b>Moderate</b>	NM-247 (FID 245) – 17.8 miles East (E) of US54 - <b>High</b>
<b>Aviation Facilities</b>	
Skeen Ranch (FID – 5) - <b>Moderate</b>	
<b>Fire Stations</b>	
Arabela Fire Department (1652 County Road (Rd) 368) - <b>Moderate</b>	
<b>Communication Towers</b>	
549751 (E of Tecolote Peak and Elda Rd; S of Gallinas and N of Tecolote) - <b>Moderate</b>	134299 (S of US70 along Country Road E033) - <b>Moderate</b>
936014 (NE of Jicarilla Mountains) - <b>High</b>	593387 (NE of Tinnie, NM) - <b>Moderate</b>
489275 (E of Jicarilla Mountains) - <b>High</b>	602620 (SE of Bonito on Buck Mountain) - <b>High</b>
1174193 (SE of intersection of Pine Lodge Rd and Seven Rivers Rd) - <b>Moderate</b>	886497 (E of Alto and Kokopelli Golf Club) - <b>Moderate</b>
870334 (SE of intersection of Pine Lodge Rd and Seven Rivers Rd) - <b>Moderate</b>	384378 (NE of Lookout Mountain) - <b>High</b>

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
148942 (S of Capitan Mountains along Capitan Gap) - Moderate	1161716 (N of Buck Mountain) - High
450543 (S of Capitan Mountains along Capitan Gap) - Moderate	777351 (Approx. 2 miles W of Alto) - High
1161672 (Approx. 0.5 miles E of Capitan limits) - High	777364 (N of Moon Mountain and E of Ruidoso) - Moderate
146259 (Approx. 0.5 miles E of Capitan limits) - High	
Trails	
Sand Wash - High	Pierce Canyon - High
Warner Gulch - High	Pine Ridge Trail - High
Patos Mountain Trail - High	Doherty Ridge - High
Trail Canyon - High	Petroglyph Trail - High
Barber Springs Trail - High	North Base - Moderate
Carrizo Peak -- High	Barber Ridge - High
Capitan Peak - High	Big Bonito - High
Johnnie Canyon Trail - High	Sander's Ridge - High
Seven Cabins - High	Little Bonito - Moderate
Summit - High	Unimproved Road* [Look into line 43 and 65] - High
South Base - High	Pancho Canyon - Moderate
Zamora Trail - High	North Cedar Creek - High
Cedar Creek Village Access - High	Lower Cedar Creek - Moderate
East Well Trail - High	Elk Valley Trail - High
East Mesa Trail - High	Elk Meadow Trail - High
Tortolita Canyon - High	Capitan Overlook Trail - High
Gaylord Canyon - High	Ft. Stanton South Trail - High
Nogal Peak - High	Ft. Stanton North Trail - High
Water Canyon - High	Oak Ridge - High
Goat Canyon - High	Upper Raven - High
Goat Spring Trail - High	Lower Raven - Moderate
Pennsylvania Canyon - High	Perk Ridge Trail - High
Three Rivers - High	Norman Canyon - High
Grindstone Mesa Loop - High	Lower Apache Trail - High
Grindstone Spur - High	Outlaw Trail - High

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
Grindstone Trail (Mine Canyon) - <b>High</b>	Salado Trail - <b>High</b>
Grindstone Canyon Loop - <b>High</b>	Crest - <b>High</b>
Grindstone Connector - <b>High</b>	Perk Canyon Trail - <b>High</b>
Grindstone Ridge - <b>High</b>	Deer Valley Trail - <b>High</b>
Peacock Trail - <b>High</b>	Pierce Canyon - <b>High</b>
Skyline Trail – <b>High</b>	Phantom - <b>High</b>
South Fork - <b>High</b>	Copeland Canyon - <b>Moderate</b>
Homestead Loop - <b>Moderate</b>	Mitt and Bar - <b>High</b>
Clear Water - <b>High</b>	Padilla Trail - <b>Moderate</b>
Cave Canyon Trail - <b>High</b>	Thorium Canyon – <b>High</b>
Alfred Hale Connector - <b>High</b>	Trail Access Loop - <b>High</b>
Tucson Mountain - <b>High</b>	Rodamaker Canyon - <b>High</b>
Dry Mills - <b>High</b>	Buffalo Soldier Trail - <b>High</b>
Kit Carson Loop Trail - <b>High</b>	Aspen - <b>High</b>
Spring Canyon - <b>High</b>	Zamora Trail - <b>High</b>
Bluefront - <b>Moderate</b>	Argentina Canyon - <b>High</b>
Cedar Creek - <b>High</b>	Miner’s Road - <b>High</b>
Mills Canyon - <b>High</b>	North Eagle Creek - <b>High</b>
Telephone Canyon - <b>High</b>	Church Mountain - <b>High</b>
Dry Canyon - <b>High</b>	Maverick - <b>High</b>
Skull Springs - <b>High</b>	Pershing Trail - <b>High</b>
Petroglyph Trail Access - <b>High</b>	Downhill - <b>Moderate</b>
Turkey Canyon - <b>High</b>	Rio Bonito Trail - <b>High</b>
Cut Across - <b>High</b>	Cedar Ridge Trail - <b>High</b>
Capitan Overlook Trail - <b>High</b>	Rio Bonito Trail - <b>High</b>
Railroad	
NM Railroad (FID 11) - <b>High</b>	NM Railroad (FID 21) - <b>High</b>
Heartland Division (FID 84) - <b>High</b>	Heartland Division (FID 91) - <b>High</b>
Heartland Division (FID 92) - <b>High</b>	NM Railroad (FID 93) - <b>High</b>
Heartland Division (FID 157) - <b>High</b>	Heartland Division (FID 158) - <b>High</b>
Heartland Division (FID 159) - <b>High</b>	NM Railroad (FID 194) - <b>Moderate</b>
NM Railroad (FID 195) - <b>High</b>	

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
Pipelines	
Enterprise Products Operating, Limited Liability Corporation (LLC) – Highly Volatile Liquid (FID 1) - <b>High</b>	Enterprise Products Operating, LLC – EPL (FID 2) - <b>High</b>
Enterprise Products Operating, LLC – Highly Volatile Liquid (FID 3) - <b>High</b>	Giant Pipeline Company (Co.) – Crude Oil (FID 5) - <b>High</b>
Kinder Morgan CO2 Company, LP – Carbon Dioxide (FID 6) - <b>High</b>	El Paso Natural Gas Co. – Natural Gas (FID 11) - <b>High</b>
El Paso Natural Gas Co. – Natural Gas (FID 12) - <b>High</b>	El Paso Natural Gas Co. – Natural Gas (FID 15) - <b>High</b>
Transwestern Pipeline Co. – Natural Gas (FID 32) - <b>High</b>	Transwestern Pipeline Co. – Natural Gas (FID 33) - <b>High</b>
Transwestern Pipeline Co. – Natural Gas (FID 34) - <b>High</b>	Transwestern Pipeline Co. – Natural Gas (FID 35) - <b>High</b>
Transwestern Pipeline Co. – Natural Gas (FID 36) - <b>High</b>	Zia Natural Gas Co. – Natural Gas (FID40) - <b>High</b>
Zia Natural Gas Co. – Natural Gas (FID 41) - <b>High</b>	El Paso Natural Gas Co. – Natural Gas (FID 44) - <b>Moderate</b>
El Paso Natural Gas Co. – Natural Gas (FID 16) - <b>High</b>	El Paso Natural Gas Co. – Natural Gas (FID 17) - <b>High</b>
Transmission Lines	
In Service AC Transmission Line – Glencoe (FID 6) - <b>High</b>	In Service AC Transmission Line – Hollywood (FID 7) - <b>High</b>
In Service AC Transmission Line – Hollywood (FID 25) - <b>High</b>	In Service AC Transmission Line – Ski Run (FID 26) - <b>High</b>

## **Flood**

Lincoln County contains a total of 215 critical infrastructure facilities. Of that total, 48 are within the 1% annual flood risk area. Infrastructure within these areas has a 1% probability of flooding on an annual basis and a 26% of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in several ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges. Figure 5-90 lists infrastructure within the 1% annual flood risk zone.

The regional wastewater treatment plant (WWTP) for the Village of Ruidoso and City of Ruidoso Downs is not within the flood zone. The Planning Team requested to include the WWTP in the correct location on the Critical Infrastructure Map, as the location from the publicly available GIS layer is inaccurate. The WWTP is located north of US70, northeast of Ruidoso Downs; the plant is approximately 150 feet from the outer boundary of the plant to the outmost boundary of the flood zone and approximately 240 feet from the outer boundary of the plant to the Rio Ruidoso.

**Figure 5-90: Critical Infrastructure within Flood Risk Zone (Lincoln County)**

<b>Critical Infrastructure within 1% Annual Flood Risk Zone</b>	
<b>Dams</b>	
Bonito Dam	Upper Rio Hondo Site Number (No.) 1 Dam
<b>Trails</b>	
Access Trail	Lower Cedar Creek
Trail Access Loop	Upper Cedar Creek
Tortolita Canyon	Salado Trail
Homestead Cutoff	Rio Bonito Trail
Homestead Loop	East Well Trail
Zamora Trail	Elk Meadow Trail
Mills Canyon	Tract 4 Trail
Ft. Stanton North Trail	Tract 3 South Trail
Ft. Stanton South Trail	Nogal Canyon
Petroglyph Trail Access	Petroglyph Trail
<b>Railroad</b>	
Heartland Division (Object ID 15)	
<b>Pipelines</b>	
Giant Pipeline Co. – Crude Oil (Object ID 4)	El Paso Natural Gas Co. – Natural Gas (Object ID 6)
Transwestern Pipeline Co. – Natural Gas (Object ID 14)	Transwestern Pipeline Co. – Natural Gas (Object ID 15)
Transwestern Pipeline Co. – Natural Gas (Object ID 16)	Zia Natural Gas Co. – Natural Gas (Object ID 19)
Zia Natural Gas Co. – Natural Gas (Object ID 21)	El Paso Natural Gas Co. – Natural Gas (Object ID 24)
El Paso Natural Gas Co. – Natural Gas (Object ID 25)	
<b>Transmission Lines</b>	
In Service AC Transmission Line – Glencoe (FID 6)	In Service AC Transmission Line – Hollywood (FID 7)
In Service AC Transmission Line – Hollywood (FID 25)	In Service AC Transmission Line – Ski Run (FID 26)
<b>Substation</b>	
In Service Substation – Glencoe (FID 10)	

Critical Infrastructure within 1% Annual Flood Risk Zone	
Bridges	
FID – 164: 9.7 miles N of NM48 @ Angus	FID – 189: 2.2 miles S of US380
FID – 342: T10S, R12, SEC12	FID – 247: 9.0 miles N Junction (Jct.) US70/NM368
FID – 207: 400 S Jct. NM48	FID – 187: 250 W US380 @ MP 150.1

### **Thunderstorms**

Severe thunderstorms, which includes lightning and hail, are a broad hazard that impacts the entire county. Of the 215 pieces of critical infrastructure present in unincorporated Lincoln County, all have the potential to be damaged or have their functionality impaired or stopped due to severe weather. Due to the widespread nature of this hazard, and the lack of mapped data on high frequency occurrence areas, individual infrastructure was not assessed in terms of their vulnerability. Rather, this section identifies the potential impacts to the critical infrastructure that is present within the county.

A major infrastructure risk related to severe thunderstorms is loss of power. This can be caused by lightning strikes, extreme precipitation, and severe hailstorms with high accumulation and/or large hail that causes physical damage. Power outages are most likely to impact homes, public buildings, airports, public health facilities, and communication towers and facilities. Many facilities, such as hospitals, are equipped with backup power generators, however widespread power outages can cause facilities to become overwhelmed.

For airports, severe storms often cause grounding of flights, especially during severe lightning and hail events. This reduces or eliminates this form of travel in and out of the county. Campgrounds and trails are most heavily impacted by storms with high precipitation that may cause high levels of erosion and flooding in some cases. Campers and hikers are vulnerable to lightning strikes, hail strikes, and erosion-related hazards when using these facilities if a severe storm arises. Primitive facilities such as bathrooms that are common at trails and campgrounds may also be destroyed by severe storms. Railroads can be damaged by heavy precipitation that can erode the ground under tracks as well as by delays caused from high intensity storms. Similarly, pipelines can become unsafe or damaged through erosion causing storm events that destabilize the ground around and under pipes. This is also true for transmission lines where footers and support may lose stability or be tipped over. Transmission lines may also be impact by lightning that knocks down poles or disconnects lines which can also create fire hazards.

### **Winter Storms**

Winter storms also impact the entire county although higher elevation communities are more vulnerable and experience higher severity and frequency of these events relative to the plains regions. Due to the generally low accumulation of snow throughout the county, freezing is anticipated to have the largest impact on critical infrastructure throughout the county. Critical infrastructure that is most vulnerable to winter storms include: airports, communication towers, substations, transmission lines, and pipelines.

Heavy snow and freezing rain impact airports by delaying or shutting down travel as flights become hazardous and require more time for de-icing and runway clearing. Similar to thunderstorms, winter storms can cause power outages that impact homes, established shelters, and emergency facilities. Accumulating ice and snow can down communication towers, transmission lines, and utility poles in extreme conditions. These issues may take days to rectify depending on the severity of the storm and infrastructure damage. Natural gas pipelines may be damaged by extreme cold that causes water in and around the pipes to freeze,

potentially causing cracking. Pipelines in the county include natural gas, carbon dioxide, crude oil, and highly volatile liquids; all of which create unique hazards for communities and environmental health in the event of their failure. Major roads may be closed or have hazardous travel conditions under severe winter weather. This can cause delays or stoppage of emergency services as well as leave travelers vulnerable to crashes and stranding in freezing temperatures.

### **High Wind**

High wind is a hazard that may exist on its own or accompany thunderstorms or winter storms. High wind is a widespread hazard that impacts the entire county and is often hard to define the extent of. The south-central portion of the county and high elevation regions experience the most severe wind events and infrastructure in these areas should be prepared accordingly. All buildings and homes in the county can be damaged by high wind events when they pick up objects and carry sand and debris that can cause property damage. Traveling along major roads in the county may become hazardous, especially for high profile vehicles. Power outages may occur as a result of transmission line poles being knocked over by high wind. Similarly, lines on substations may be damaged or broken from wind events.

### **Drought**

Drought can have broad impacts on infrastructure but is most impactful to water resources while also increasing the risk of wildfire and flooding. As drought severity increases, watersheds dry out and community reliance on groundwater increases. Overextraction can cause land subsidence where the ground slowly or dramatically sinks in the absence of ground water support. In 2017, the New Mexico Bureau of Geology released a study ranking the susceptibility of soil collapse throughout the state (NMBGMR 2017). A large portion of the unincorporated county was ranked as highly susceptible to soil collapse (rating based on a 1 to 4 scale, with 4 being highly susceptible). Areas rated at a 4 include the valley between the Sacramento Mountains and Capitan Mountain, the southwest portion of the county northwest from Ruidoso, and the northcentral portion of the county northeast of the Jicarilla Mountains. This drought-induced hazard can cause damage to buildings as soil compacts, and potentially destabilize transmission line poles and communication towers under extreme conditions. Drought also creates danger for pipelines that can be cracked or broken as the soil around them dries and shifts. Rail roads, bridges, airports, and roads can all be damaged by severe drought and high temperatures associated with extended events. Soil under these infrastructures can dry and compress, destabilizing concrete, and tracks. As forest health decreases under drought conditions, the risk of catastrophic wildfire increases placing trails and campgrounds at risk as well as infrastructure falling within the WUI. Drought creates similar concerns for increased flash flood risk as drought impacted soil cannot properly absorb precipitation and attenuate flooding.

### **Dam Failure**

A failure of the Alto Lake Dam would have minimal impact on critical infrastructure but is expected to impact homes along the inundation path. One shelter location (J Bar Country Church) is located in the flood path. However, based on reservoir capacity and floodplain location, impacted critical facilities can be estimated. The Copper Canyon and Angus Canyon Fire Stations both fall within the expected inundation zone. One bridge, one communication tower, and one shelter also fall within the anticipated impact zone-located at the intersection of state Highways 48 and 37. A portion of Mills Canyon Trail would also be inundated in the event of a dam failure.

#### **5.4.2.2 Village of Ruidoso**

Critical infrastructure mapping for the Village of Ruidoso does not include a majority of the water and sewer infrastructure. The Village requested that these features not be included on the map for public safety reasons.

**Changes in Development**

Regarding changes in development within the last five years, the Village of Ruidoso has shown minimal commercial and residential development with a decrease in population. This trend is anticipated to continue over the next five years. Because the decrease has been distributed throughout the village, there has been no change to the vulnerability of natural hazards.

For the Village of Ruidoso in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-91: Map of Critical Infrastructure for the Village of Ruidoso

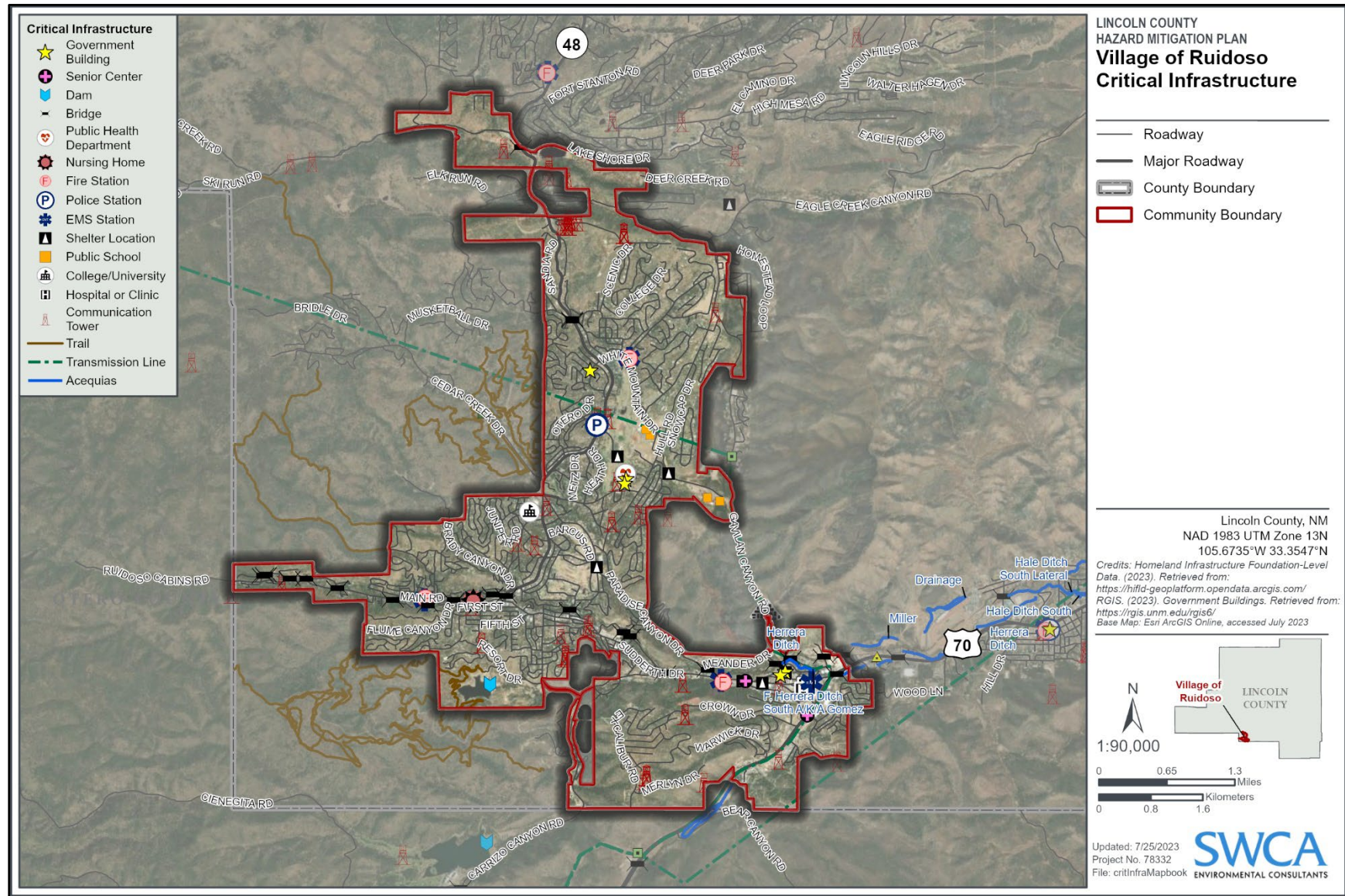
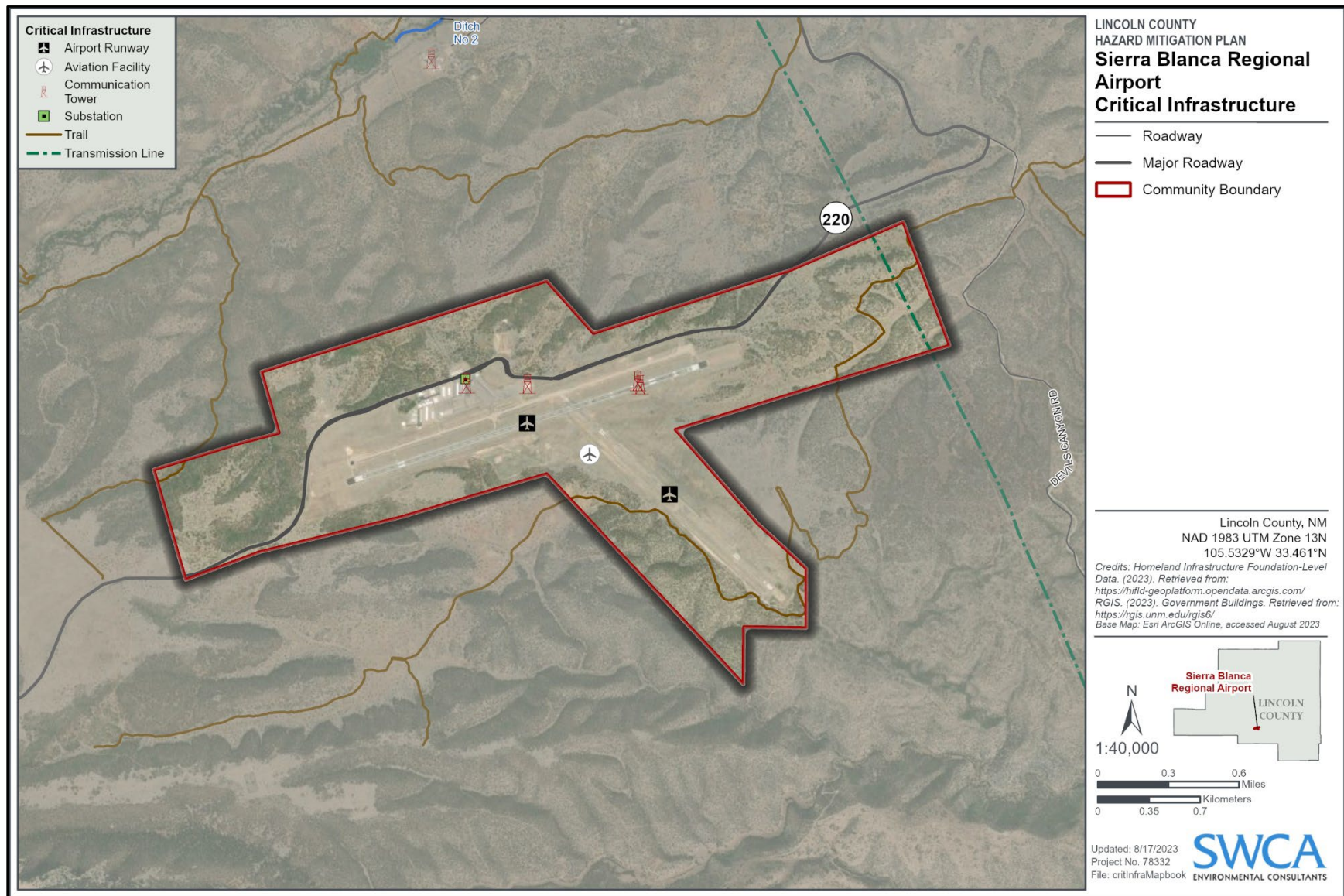


Figure 5-92: Map of Critical Infrastructure at Sierra Blanca Regional Airport



## Wildfire

The Village of Ruidoso contains a total of 60 critical infrastructure facilities (Figure 5-91). Of that total, six fall within the high-risk wildfire areas and nine fall within moderate risk wildfire areas. Figure 5-93 lists the names of infrastructure with moderate to high wildfire risk. Infrastructure that falls within the high wildfire hazard zone should be considered a priority for mitigation actions. Infrastructure in this category falls in a geography that is considered at high risk of wildfire events due to a combination of vegetation, topography, community proximity, and other fire ignition and spread modeling criteria. Prioritizing actions on or around these infrastructures will greatly improve a community's likelihood of minimizing wildfire hazard and ensuring continued functionality in the event of a fire and during the recovery process. Infrastructure that falls in the moderate wildfire risk category should be prioritized but is not as crucial as those deemed high risk. Infrastructure in this category is at risk of wildfire but may be more resilient or in less of a threat zone due to the surrounding landscape, past fuels management, infrastructure materials, and other contributing risk factors.

Wildfires can cause significant long-lasting damage to water resources. The Village has a large number of wells that can become contaminated by wildfire. Wells can be infiltrated by chemicals and microorganisms following fire impacts. This can be directly related to chemicals from the fire as well as fire suppressants used by fire fighters. Wells should always be tested following a fire and owners should check or replace well heads and components that support the function of the well.

The Sierra Blanca Regional Airport, and the critical infrastructure contained within it, also fall under the jurisdiction of the Village of Ruidoso and are assessed with the same criteria (Figure 5-92). The airport is situated about 15 miles northwest of the Village along State Highway 220. No critical infrastructure facilities fall within the moderate or high-risk zones; however, portions of the airport property fall within high wildfire risk zones, primarily the western end of the property. Additionally, the landscape surrounding the airport has a high occurrence of moderate and high wildfire risk zones. It is anticipated that fire intensity in this area is relatively low due to the vegetation composition. None the less, wildfires pose a threat to functionality of the airport as low intensity fires may cause delays and closures.

Wildfire and smoke from spring through fall can have a negative impact on tourists coming to the area for recreation opportunities. This can result in reduced revenue, taxes, and similar economic losses.

**Figure 5-93: Critical Infrastructure within Moderate/High Wildfire Zone (Village of Ruidoso)**

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
<b>Bridges</b>	
27-Z003 (FID 230) – 0.1 miles S of Main Rd - Moderate	NM48 (FID 210) – 6.5 miles N Jct) NM48 & US70 - Moderate
NM48 (FID 6) – 4.7 miles N Jct. US70/Ruidoso - Moderate	
<b>Landfills</b>	
Gavilan Canyon Solid Waste Transfer Station (430 Gavilan Canyon Rd) - Moderate	
<b>Communication Towers</b>	
FID – 42: ASR - High	FID – 376: Land Mobile (LM) -Private - Moderate
FID – 938: Microwave - High	FID – 425: LM-Private - Moderate

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
FID – 1142: Microwave - <b>High</b>	FID – 725: LM-Private - <b>Moderate</b>
Trails	
Grindstone Trail (Mine Canyon) - <b>High</b>	Grindstone Canyon Loop - <b>Moderate</b>
Transmission Lines	
Sierra Blanca Regional Airport (Glencoe FID – 6) - <b>High</b>	Village of Ruidoso (Hollywood FID – 25) - <b>High</b>
Village of Ruidoso (Ski Run FID – 26) - <b>Moderate</b>	

At the address 211 Service Road, the new Court House has been built and the planned Horton Complex (Regional Dispatch Center) will be constructed in the next year. These buildings fall within a low wildfire risk area but are still within the WUI. The complex is located less than a block from the 1% annual flood risk area.

### **Flood**

The Village of Ruidoso contains a total of 60 critical infrastructure facilities. Of that total, 41 are within the 1% annual flood risk area. Figure 5-94 lists infrastructure within the 1% annual flood risk zone. Infrastructure within these areas have a 1% probability of flooding on an annual basis and a 26% probability of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in several ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges.

The Regional WWTP for the Village of Ruidoso and City of Ruidoso Downs is not within the flood zone. The Planning Team requested to include the WWTP in the correct location on the Critical Infrastructure Map, as the location from the publicly available GIS layer is inaccurate. The WWTP is located north of US70, northeast of Ruidoso Downs; the plant is approximately 150 feet from the outer boundary of the plant to the outmost boundary of the flood zone and approximately 240 feet from the outer boundary of the plant to the Rio Ruidoso.

The new Court House and the planned Horton Complex (Regional Dispatch Center) are located less than a block from the 1% annual flood risk area. Flooding impacts are not anticipated for these government buildings. See the Dam Failure vulnerability discussion for potential impacts.

Although not listed, the Village contains many water wells that are critical to the community's water supply. Flood waters can carry contaminants such as waste, oil, bacteria, and excessive debris. In the event of a flood, excess water may seep into the well, containing any contaminants carried by it. Water wells should be tested following flood inundation to ensure the water system has not been compromised.

**Figure 5-94: Critical Infrastructure within Flood Risk Zone (Village of Ruidoso)**

Critical Infrastructure within 1% Annual Flood Risk Zone
Public Schools
White Mountain Elementary (203 White Mountain Drive (Dr))
Communication Towers

Critical Infrastructure within 1% Annual Flood Risk Zone	
FID – 721: LM-Private	FID – 323: LM-Private
FID – 307: LM-Private	
Transmission Lines	
Village of Ruidoso (Hollywood FID – 7)	Village of Ruidoso (Ski Run FID – 26)
Bridges	
FID – 230: 0.1 miles S of Main Rd	FID – 133: Jct. US70/NM48
FID – 178: 0.1 miles N of NM48	FID – 255: Main Rd & Fox Drive
FID – 177: 0.4 miles NW Jct. NM48	FID – 336: Jct. Main Rd/Flume Can. Rd
FID – 307: 0.5 miles NW US70/NM48	FID – 250: 535 N of US70
FID – 251: 540 N of Gavilan Canyon	FID – 5: 3.5 miles N of US70/Ruidoso
FID – 308: 446 N of US70	FID – 252: 628 feet W of NM48
FID – 232: Near River Trail	FID – 228: E end of N Loop Dr
FID – 231: River Trail/Rio Ruidoso	FID – 229: W end of N Loop Dr
FID – 30: 14.4 miles E Jct. US380/Hondo	FID – 253: 84 feet N of Maine Rd
FID – 312: 457 N of NM48	FID – 226: 200 N of Jct. Main Rd
FID – 227: 0.1 miles NW of Main Rd	FID – 249: 0.3 miles N of US70
FID 174: 0.1 miles S US70 @ MP 293.4	FID – 135: 5.3 miles NE of Jct. NM48
FID – 188: 7.4 miles E Otero/Lincoln Cl	FID – 81: 0.2 miles S Jct. US70/380
FID – 240: 2.0 miles E Jct. US380/Hondo	FID – 23: 0.8 miles E Jct. US380/Hondo
FID – 186: 0.25 miles S US70 @ MP 284.3	FID – 244: 0.1 miles W of US70/380 Hondo
FID – 185: 0.2 miles E of US70 @ MP 273	FID – 265: 0.3 miles W of US70 @ MP 274
FID – 286: 4.51 miles W US70/380	FID – 241: 10.1 miles W Jct. US380/Hondo
FID – 285: 3.82 miles E of US70 @ MP 278	

### **Thunderstorms**

Airports, emergency response and health facilities, communication towers, transmission lines, and substations are expected to be most impacted by thunderstorms, including lightning and hail. These facilities are distributed through the Village and the transmission line runs east-west just north of the police station. All these facilities have the potential to lose power during severe thunderstorm conditions. Due to Ruidoso's proximity to the Sacramento Mountains, storms may move across the Village quickly and carry large amounts of precipitation. This can overwhelm storm water systems and create flooding hazards, particularly concerning infrastructure on the east edge of the town such as the multiple EMS stations, shelters, and fire stations. Large hail can cause structural damage to buildings and facilities such as the airport, government buildings, schools, and hospitals. Communication towers and transmission lines may also be damaged or impeded by large and accumulating hail.

### **Winter Storms**

Heavy snow accumulation, freezing rain, and extreme winter temperatures pose a threat to the functionality of most critical infrastructure facilities in Ruidoso. Power outages related to downed transmission lines and impaired substations can impact power village wide. Road travel can become hazardous or be completely shut off with high snow accumulation and icy roads from freezing.

### **High Wind**

High wind is a hazard that may exist on its own or accompany thunderstorms or winter storms. The village is located in a high average wind region of the county and high elevation portions are expected to experience the most severe wind events. Large, gusting wind events are common and infrastructure in these areas should be prepared accordingly. All buildings and homes in Ruidoso can be damaged by high wind events when they pick up objects and carry sand and debris that can cause property damage. Traveling along major roads in and out of the village may become hazardous, especially for high-profile vehicles. Power outages may occur because of transmission line poles being knocked over by high wind. Similarly, lines on substations may be damaged or broken from wind events.

### **Drought**

The Village has on average 6-20 water wells per square kilometer, most of which are at depths of greater than 40 feet, according to the New Mexico Bureau of Geology (NMBGMR 2017). This 2017 study of collapsible soil susceptibility ranks most of the Village and the surrounding landscape as highly susceptible to soil collapse (rating based on a 1-4 scale with 4 being highly susceptible). This drought induced hazard can cause damage to buildings as soil compacts, and potentially destabilize transmission line poles and roads. Drying soil is less absorptive of rain and runoff and can exacerbate flooding risk. This also creates potential water resource impacts from sedimentation which is of particular concern for acequias which may require additional maintenance.

Communities may see a reduction in the output and effectiveness of water wells during extended drought period. Subsurface aquifers can dry below the level of the well pump resulting in loss of water.

### **Dam Failure**

A failure of Grindstone Dam is anticipated to be the most impactful to the Village as the path of water movement following a breach would inundate many homes and critical facilities. Five bridges are located directly downstream of the failure path as well as the Ruidoso Fire Station 1, and three shelter locations.

Based on the assessment conducted during planning for Fire Station 1, the new Court House, and Horton Complex, it was noted that in the very rare case that both Grindstone Dam and Mescalero Lake Dam had total failure, these three government buildings may be impacted. According to the Ruidoso Fire Chief, flooding impacts will be minimal to the Fire Station 1, the new Court House, and the Horton Complex.

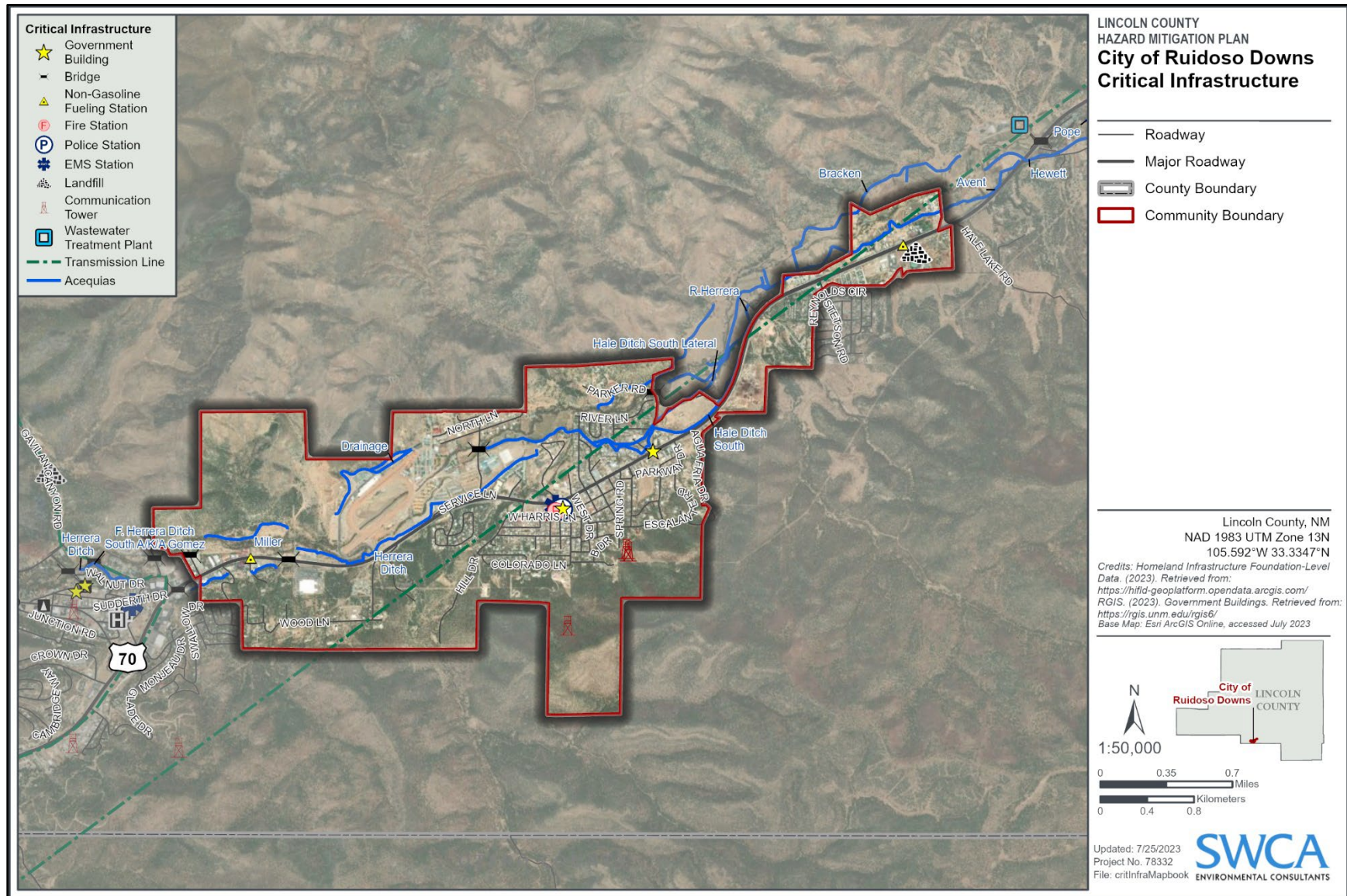
**5.4.2.3 City of Ruidoso Downs**

**Changes in Development and Priorities**

Regarding changes in development within the last five years, the City of Ruidoso Downs has shown minimal commercial and residential development, which is anticipated to continue within the next five years. Portions of the new Aqua Fria development (central-west boundary of the city bounded by Aqua Fria Drive, Escalante Road and Spring Road) is in the moderate wildfire risk area. As part of the building permit, the property owner is required to thin the lot in the areas near the structures. Additional homes are expected to be built in this area over the next five years. A Super Allsup's Convenience Store was built in the Avalon neighborhood (north of US70 toward the eastern side of the city). Additional commercial development is anticipated over the next five years, but specific locations have not been identified. Other than the new Aqua Fria development, there are no additional changes to the vulnerability of the severe weather hazards.

For the City of Ruidoso Downs in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-95: Map of Critical Infrastructure for the City of Ruidoso Downs



## Wildfire

Ruidoso Downs contains a total of eight critical infrastructure facilities (Figure 5-95). Of that total, seven fall within the high-risk wildfire. Figure 5-96 lists the names of infrastructure with high wildfire risk. Infrastructure that falls within the high wildfire hazard zone should be considered a priority for mitigation actions. Infrastructure in this category falls in a geography that is considered at high risk of wildfire events due to a combination of vegetation, topography, community proximity, and other fire ignition and spread modeling criteria. Prioritizing actions on or around these infrastructures will greatly improve a community's likelihood of minimizing wildfire hazard and ensuring continued functionality in the event of a fire and during the recovery process. Infrastructure that falls in the moderate wildfire risk category should be prioritized but is not as crucial as those deemed high risk. Infrastructure in this category is at risk of wildfire but may be more resilient or in less of a threat zone due to the surrounding landscape, past fuels management, infrastructure material, and other contributing risk factors.

The Sierra Contracting Dump site is located between US70 and the eastern city limits, to the northeast of the Aqua Fria Development. A portion of the site is in the moderate to high fire risk area.

Wildfire and smoke from spring through fall can have a negative impact on tourists coming to the area for recreation opportunities. This can result in reduced revenue, taxes, and similar economic losses.

**Figure 5-96: Critical Infrastructure within Moderate/High Wildfire Zone (Ruidoso Downs)**

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
Communication Towers	
FID – 618: LM-Private - <b>High</b>	FID – 668: LM-Private - <b>High</b>
FID – 631: LM-Private - <b>High</b>	FID – 1108: Microwave - <b>High</b>
FID – 632: LM-Private - <b>High</b>	FID – 1109: Microwave - <b>High</b>
Transmission Line	
In Service AC Transmission Line (0.5 mile of transmission line from Wood Ln heading NE) - <b>High</b>	

## Flood

Ruidoso Downs contains a total of eight critical infrastructure facilities. Of that total, one is within the 1% annual flood risk area. Figure 5-97 lists infrastructure within the 1% annual flood risk zone. Infrastructure within these areas has a 1% probability of flooding on an annual basis and a 26% of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in several ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges.

According to the Planning Team, the regional WWTP could be impacted by flooding to the northeast of the City of Ruidoso Downs. The WWTP is located in the unincorporated County, north of US70 and northeast of Ruidoso Downs 150 feet outside the Rio Ruidoso floodplain.

**Figure 5-97: Critical Infrastructure within Flood Risk Zone (Ruidoso Downs)**

Critical Infrastructure within 1% Annual Flood Risk Zone
Transmission Lines
City of Ruidoso Downs (Hollywood) – FID 25
Treatment Plant
Ruidoso Downs Wastewater Treatment Plant*

\*At the request of the Planning Team, this infrastructure was added. It is located approximately 0.35 miles northeast of the most northeastern part of the Ruidoso Downs boundary line. The property line for the WWTP is approximately 160 feet north from the area considered a 1% annual flood risk zone.

### **Thunderstorms**

Infrastructure hazard concerns for thunderstorms in Ruidoso Downs include transmission lines, which run south west to north east, communication towers, government buildings, and emergency response facilities. Severe thunderstorms, including lightning and hail, can cause outages and physical damage to transmission lines and communications towers via electrocution, large and or accumulating hail, and thunderstorms with high precipitation totals and high wind. Government buildings and emergency response facilities can also experience reduced or halted service due to loss of power. Acequias may be damaged or overwhelmed by high precipitation and hail accumulation; this is especially a concern during monsoon season and for systems that are fed by watersheds with burn scars.

### **Winter Storms**

Heavy snow accumulation, freezing rain, and extreme winter temperatures pose a threat to the functionality of most critical infrastructure facilities in Ruidoso. Power outages related to downed transmission lines and impaired substations can impact power village wide. Road travel can become hazardous or be completely shut off with high snow accumulation and icy roads from freezing.

### **High Wind**

The main critical infrastructure vulnerable to high wind are transmission lines and communication towers which are mostly located on the south edge of town and near the police station. These facilities can be destabilized by high wind events if a secure foundation is not present. For facilities falling within the floodplain that may experience some level of flooding, the base may be compromised by the dual impacts of water and wind.

### **Drought**

Severe drought conditions dry soil and reduce available water in watersheds and subsurface sources. This can create instability for structures requiring solid foundations such as transmission lines, communication towers, and bridges. Acequias may become dry and subject to flash flooding even under normal precipitation conditions. This can also create large sediment movements that can congest and reduce the effectiveness of acequias.

### **Dam Failure**

A dam failure at Grindstone Dam is anticipated to cause property damage to homes and inundate critical infrastructure in the city. The city racetrack, located centrally in the city along US70, would be fully inundated in the event of a failure. US70 may experience some inundation or destabilization along its edges

where it runs close to Rio Ruidoso. One transmission line that runs through the city could be damaged by flood waters washing away guide poles.

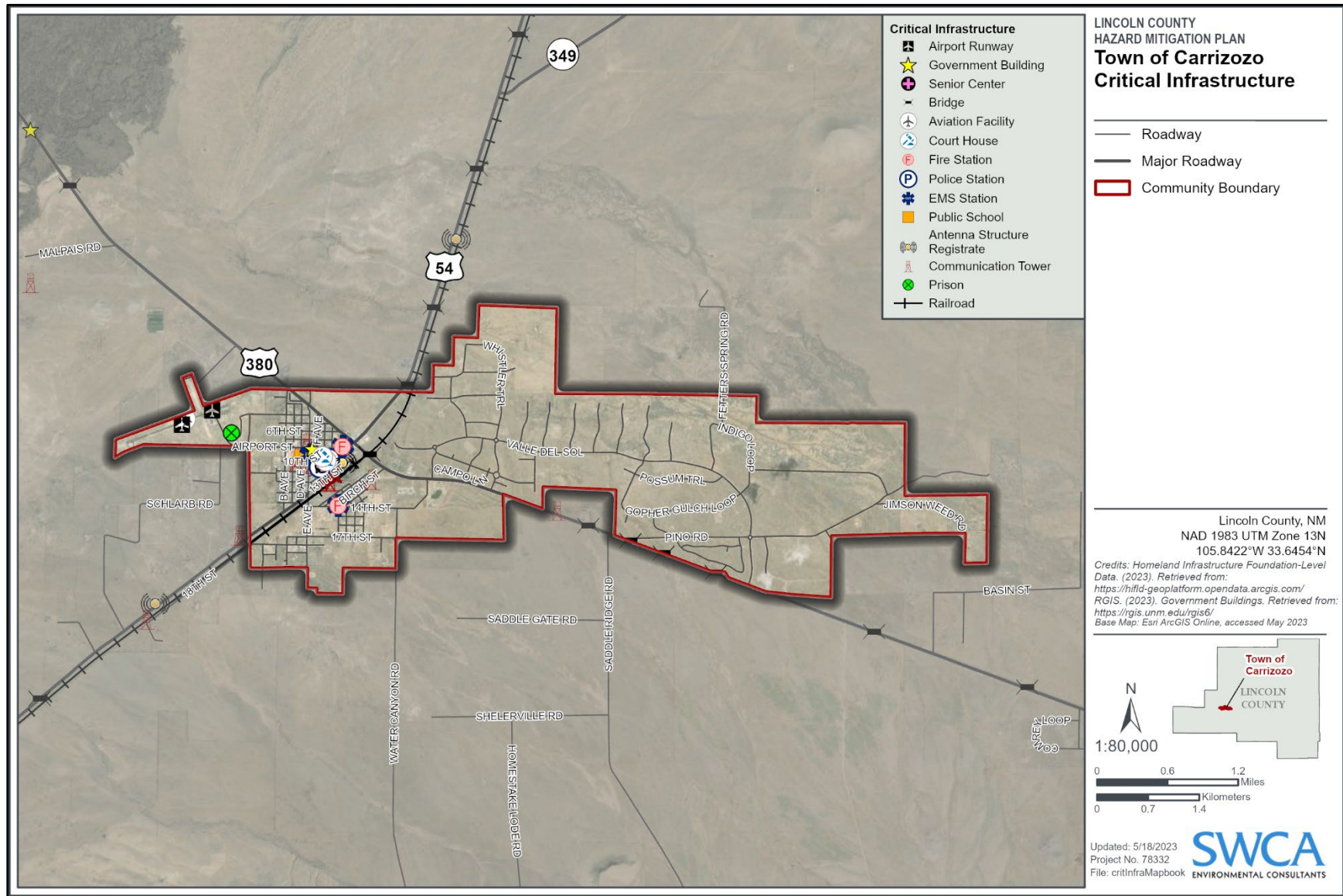
#### **5.4.2.4 Town of Carrizozo**

##### **Changes in Development and Priorities**

Regarding changes in development within the last five years, Carrizozo has shown minimal commercial and residential development with a slight increase in population, which is anticipated to continue within the next five years. Most of the anticipated development is infilled so there is no anticipated increase in natural hazard vulnerability. However, 215 acres are being developed for a mix of residential and commercial uses (north/northwest jurisdictional boundary with US54 and US380 as the other two boundaries). None of these 215 acres are shown as being in the wildfire risk area or the floodplain. However, highway closures due to natural hazards would likely impact travel to and from this newly developed area.

For the Town of Carrizozo in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-98: Map of Critical Infrastructure for the Town of Carrizozo



## **Wildfire**

The town of Carrizozo contains a total of six critical infrastructure facilities (Figure 5-98). No critical infrastructure facilities are located in an area designated as either moderate or high wildfire risk.

## **Flood**

Of the six identified critical infrastructure facilities in Carrizozo, four are within the 1% annual flood risk area. Figure 5-99 lists infrastructure within the 1% annual flood risk zone. Infrastructure within these areas has a 1% probability of flooding on an annual basis and a 26% of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in a number of ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges.

**Figure 5-99: Critical Infrastructure within Flood Risk Zone (Town of Carrizozo)**

<b>Critical Infrastructure within 1% Annual Flood Risk Zone</b>	
<b>Railroads</b>	
NM Railroad (FID – 86)	NM Railroad (FID – 192)
Heartland Division (FID – 99)	Heartland Division (FID – 211)

## **Thunderstorms**

Airports, emergency response and health facilities, communication towers, TV transmitters, shelter locations, and public schools are expected to be most impacted by thunderstorms, including lightning and hail. All facilities have the potential to lose power during severe thunderstorm conditions. Large hail can cause structural damage to buildings and facilities such as the airport, government buildings, schools, and hospitals. Communication towers and TV transmitters may also be damaged or have communication interference due to large and accumulating hail and heavy precipitation. This could hinder the ability to notify people of hazard danger.

## **Winter Storms**

Heavy snow accumulation, freezing rain, and extreme winter temperatures pose a threat to the functionality of most critical infrastructure facilities in Carrizozo. Power outages related to downed communication towers and TV transmitters can impact communication throughout the town. Road travel can become hazardous or be completely shut off when snow accumulation is high and roads ice over from freezing and rain. Travel in and out of the airport may also be restricted due to winter weather. Shelters may become overwhelmed depending on the severity of winter weather.

## **High Wind**

High wind poses a threat to multiple communication facilities in Carrizozo including antenna structures, communication towers and TV transmitters. The town has a high number of communication towers centrally located along 13th Street. If the base support of these structures is not properly secured, they may tip or become unstable. Under high wind, the airport may be forced to ground flights. Multiple tornadoes were reported near the town during the assessment period which raises the threat of wind-related damage from flying debris.

## **Drought**

The main impact of drought on critical infrastructure in Carrizozo is on water resources and secondary impacts of drying and water-resistant soils. Structures such as bridges, communication towers, rail tracks and runways. These facilities may lose stability or alignment as the soil beneath them contracts. Similarly, in the event of heavy precipitation following extended drought periods, soil may be quickly washed away, reducing ground support for these facilities.

### **5.4.2.5 Village of Capitan**

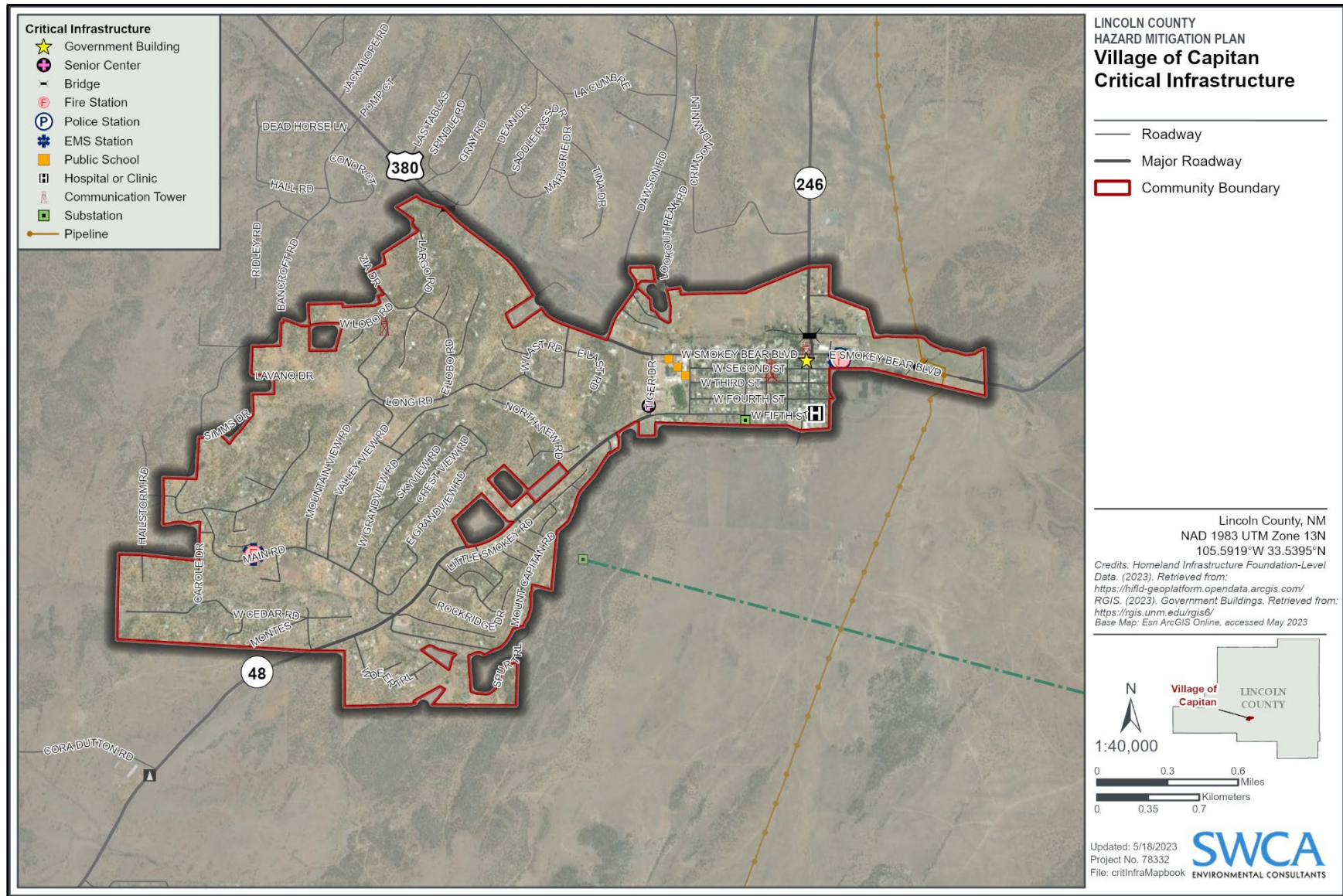
#### **Changes in Development and Priorities**

Regarding changes in development within the last five years, Capitan has shown minimal commercial development, however, the town has recently seen the addition of Family Dollar and Dollar General stores. There has been minimal residential development with an overall decrease in population. This trend is anticipated to continue over the next five years. Therefore, there has been no change to the vulnerability of the natural hazards.

Wind turbine projects are being planned and implementation is expected within the next 5-year period. The location may be in the unincorporated portion of the county in the area of Capitan. As these projects are planned and implemented, vulnerability to natural hazards will be analyzed more fully.

For the Village of Capitan in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-100: Map of Critical Infrastructure for the Village of Capitan



## Wildfire

The village of Capitan contains a total of 14 critical infrastructure facilities (Figure 5-100). Of that total, two fall within the high-risk wildfire areas. Figure 5-101 lists the names of infrastructure with high wildfire risk. Infrastructure that falls within the high wildfire hazard zone should be considered a priority for mitigation actions. Infrastructure in this category falls in a geography that is considered at high risk of wildfire events due to a combination of vegetation, topography, community proximity, and other fire ignition and spread modeling criteria. Prioritizing actions on or around these infrastructures will greatly improve a community's likelihood of minimizing wildfire hazard and ensuring continued functionality in the event of a fire and during the recovery process. Infrastructure that falls in the moderate wildfire risk category should be prioritized but is not as crucial as those deemed high risk. Infrastructure in this category is at risk of wildfire but may be more resilient or in less of a threat zone due to the surrounding landscape, past fuels management, infrastructure material, and other contributing risk factors.

**Figure 5-101: Critical Infrastructure within Moderate/High Wildfire Zone (Village of Capitan)**

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
<b>Natural Gas Compressor Station</b>	
Station 8 (Booster Pumping Station) – Transwestern Rd, 27.6 miles SW of Corona) - <b>High</b>	
<b>Shelter Locations</b>	
Trinity Baptist Church – <b>High</b>	

## Flood

Of the 14 critical infrastructure facilities in the village of Capitan, 11 are located within the 1% annual flood risk area. Figure 5-102 lists infrastructure within the 1% annual flood risk zone. Infrastructure within these areas has a 1% probability of flooding on an annual basis and a 26% of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in a number of ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges.

**Figure 5-102: Critical Infrastructure within Flood Risk Zone (Village of Capitan)**

Critical Infrastructure within 1% Annual Flood Risk Zone	
<b>Government Buildings</b>	
Capitan Village Hall-114 Lincoln Avenue	
<b>EMS Stations</b>	
State Highway 37 (FID – 43)	
<b>Communication Towers</b>	
FID – 761: LM-Private	
<b>Pipelines</b>	
Zia Natural Gas Co. – Natural Gas (Object ID20)	
<b>Bridges</b>	
FID – 28: 2.6 miles N of US380/Carrizozo	FID – 67: 0.4 miles E of NM37/US380

**Critical Infrastructure within 1% Annual Flood Risk Zone**

FID – 289: 0.47 miles E of NM48/Capitan	FID – 179: 400 N of US380/Capitan
FID – 290: 5.6 miles E of NM48/Capitan	FID – 69: 5.1 Miles E of NM48/Capitan
FID – 166: 17.0 miles E Jct. NM48/Capitan	

**Thunderstorms**

Infrastructure hazard concerns for thunderstorms in the village of Capitan include transmission lines, communication towers, government buildings, and emergency response facilities. Severe thunderstorms, including lightning and hail, can cause outages and physical damage to transmission lines and communications towers via electrocution, large and or accumulating hail, and thunderstorms with high precipitation totals and high wind. Government buildings and emergency response facilities can also experience reduced or halted service due to loss of power. Acequias may be damaged or overwhelmed by high precipitation and hail accumulation; this is especially a concern during monsoon season and for systems that are fed by watersheds with burn scars.

**Winter Storms**

The main expected impacts on critical infrastructure from winter storms including freezing rain and ice storms are loss of power and hazardous travel. Loss of power can impact the airport, emergency response facilities, schools, and shelters. High accumulation of snow and ice storms can cause disruption to communication towers, antennas, and TV transmitters. Capitan also has one natural gas pipeline on the eastern edge of the Village that could be damaged by freezing.

**High Wind**

High wind poses a threat to multiple communication facilities in Capitan including communication towers and TV transmitters. If the base support of these structures is not properly secured, they may tip or become unstable. Under high wind, the airport may be forced to ground flights.

**Drought**

Severe drought conditions dry soil and reduce available water in watersheds and subsurface sources. This can create instability for structures requiring solid foundations such as TV transmitters, communication towers, and natural gas compressor stations. Pipelines may be damaged by contracting soil that could cause cracks.

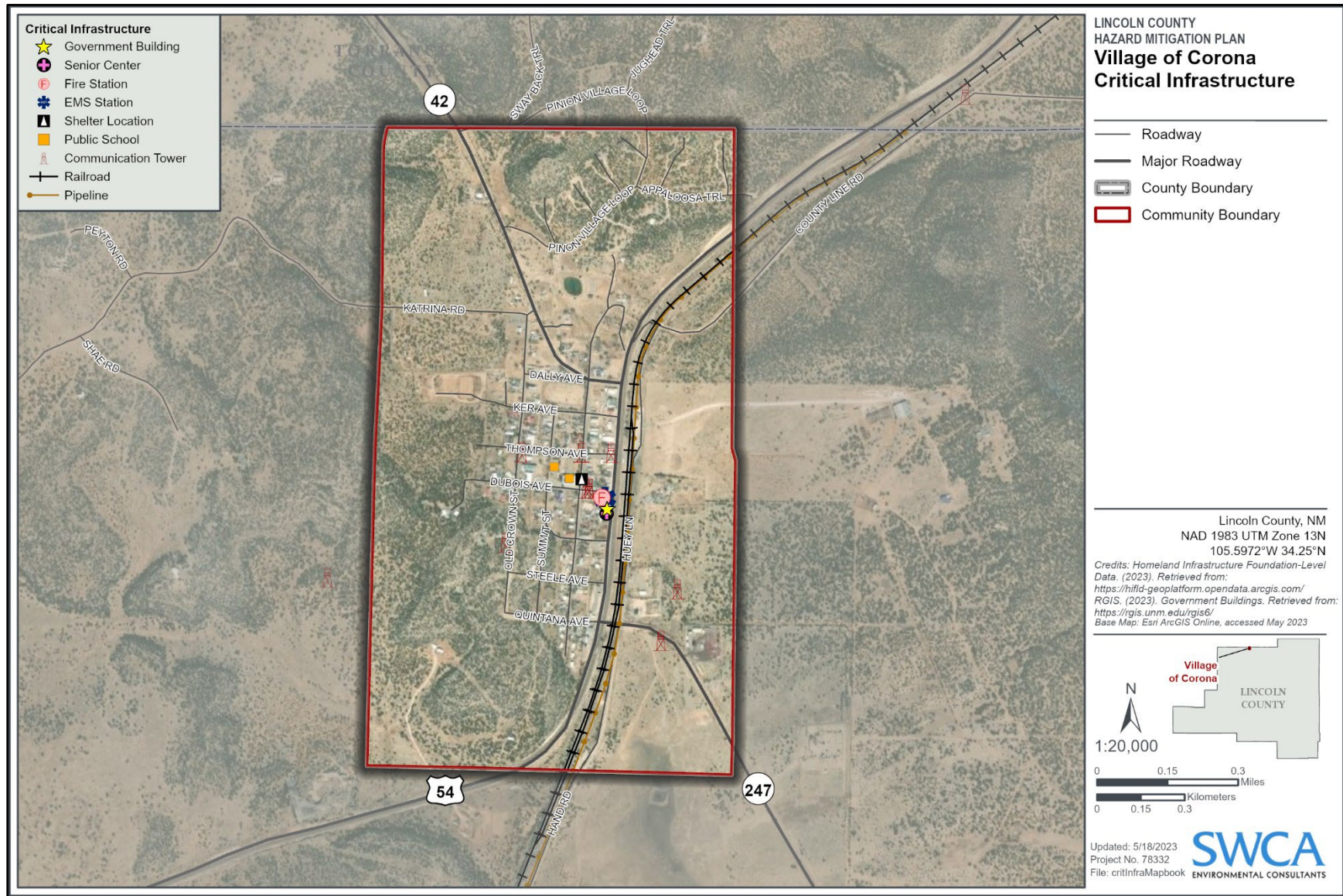
**5.4.2.6 Village of Corona**

**Changes in Development and Priorities**

Regarding changes in development within the last five years, the Village of Corona has shown some commercial and residential development due to the construction of wind turbines in the surrounding area. There has been a slight increase in population, which is anticipated to continue within the next five years. Due to the nature of the construction and increased activity, there has been an increase in vulnerability in wildfire and high wind prone areas.

For the Village of Corona in the last five years, there have been no changes in community priorities based on new direction from leadership or similar.

Figure 5-103: Map of Critical Infrastructure for the Village of Corona



## Wildfire

The village of Corona contains a total of nine critical infrastructure facilities (Figure 5-103). Of that total, five fall within the moderate risk wildfire areas. Figure 5-104 lists the names of infrastructure with high wildfire risk. Infrastructure that falls within the high wildfire hazard zone should be considered a priority for mitigation actions. Infrastructure in this category falls in a geography that is considered at high risk of wildfire events due to a combination of vegetation, topography, community proximity, and other fire ignition and spread modeling criteria. Prioritizing actions on or around these infrastructures will greatly improve a community's likelihood of minimizing wildfire hazard and ensuring continued functionality in the event of a fire and during the recovery process. Infrastructure that falls in the moderate wildfire risk category should be prioritized but is not as crucial as those deemed high risk. Infrastructure in this category is at risk of wildfire but may be more resilient or in less of a threat zone due to the surrounding landscape, past fuels management, infrastructure material, and other contributing risk factors.

**Figure 5-104: Critical Infrastructure within Moderate/High Wildfire Zone (Village of Corona)**

Critical Infrastructure within the Moderate and High Wildfire Risk Zone	
<b>Railroads</b>	
Railroad Owner: UP (FID – 61) - Moderate	Heartland Division – Railroad Owner: UP (FID – 63) - Moderate
Heartland Division – Railroad Owner: UP (FID – 64) - Moderate	
<b>Pipelines</b>	
El Paso Natural Gas Co. (FID pipelines – 15) - Moderate	
<b>Aviation Facilities</b>	
High Desert Ranch - Moderate	

## Flood

The village of Corona contains a total of nine critical infrastructure facilities. Of that total, two are within the 1% annual flood risk area. Figure 5-105 lists infrastructure within the 1% annual flood risk zone. Infrastructure within these areas has a 1% probability of flooding on an annual basis and a 26% of flooding over the course of a 30-year mortgage, as defined by FEMA. The areas with 1% annual flood risk are also often referred to as the 100-year floodplain. Infrastructure in these areas could be impacted by flood events in a number of ways; flood water could fully inundate things like buildings and energy and transportation-related facilities and can damage or reduce the effectiveness of things like trails and bridges.

**Figure 5-105: Critical Infrastructure within Flood Risk Zone (Village of Corona)**

Critical Infrastructure within 1% Annual Flood Risk Zone	
<b>Railroads</b>	
Heartland Division – Railroad Owner: UP (FID – 63)	
<b>Pipelines</b>	
El Paso Natural Gas Co. (FID pipelines – 15)	

### **Winter Storms**

Heavy snow accumulation, freezing rain, and extreme winter temperatures pose a threat to the functionality of most critical infrastructure facilities in Corona. Power outages related to downed communication towers can impact communication throughout the Village. Road travel can become hazardous or be completely shut off when snow accumulation is high and roads ice over from freezing and rain. Travel in and out of the airport may also be restricted due to winter weather. Shelters may become overwhelmed depending on the severity of winter weather. Pipelines may become a hazard as freezing temperatures can cause cracks.

### **High Wind**

High wind poses a threat to multiple facilities in Corona including communication towers and aviation facilities. If the base support of these structures is not properly secured, they may tip or become unstable. These facilities are centrally located in town along Thompson Avenue and Franklin Street. Flights may be grounded with persistent high wind. Under high wind, the airport may be forced to ground flights. Road travel in and out of the Village may become hazardous, especially for high profile vehicles. Multiple tornadoes were reported near Corona during the assessment period which raises the threat of wind-related damage from flying debris.

### **Drought**

The main impact of drought on critical infrastructure in Corona is on water resources and secondary impacts of drying and water-resistant soils. Structures such as bridges, communication towers, rail tracks and runways may lose stability or alignment as the soil beneath them contracts. Similarly, in the event of heavy precipitation following extended drought periods, soil may be quickly washed away, reducing ground support for these facilities. Pipelines and natural gas compressor stations may also be in danger as soil subsides, causing shifts around these facilities that can cause cracking.

#### ***5.4.3 Loss/Damage Estimates***

Loss estimates for the 2018 HMP, included a residential asset inventory and 2010 U.S. Census block data. Economic loss and human exposure estimates for each hazard for each participating jurisdiction were accomplished by intersecting the asset inventory with the hazard profiles and compiling both exposed residential count and replacement value. For the 2018 HMP, the Planning Team identified the percent of estimated damage for each hazard based on previous occurrence, personal experience, and knowledge of the community.

For the 2023 Update, the Planning Team used Lincoln County Assessor's data to identify the combined value of property and structures for residential uses, combined value of property and structures for commercial uses, and utility values. These three values were calculated for each of the participating jurisdictions. The Planning Team reviewed 2018 HMP percent of estimated damage for each hazard, confirmed the percentages, made modifications, and identified the percentage for new hazards identified in the screening process.

Combining the estimated loss of residential, commercial, and utility damages for each hazard for each participating jurisdiction provides a more comprehensive depiction of what may be experienced when impacted by a natural disaster.

Economic losses to residential parcels/structures, commercial parcels/structures, and utilities were estimated by multiplying the total valuation for each category by the percent of damage estimated for each hazard for each community. The estimated damages for each community are summarized in Figures 5-106-1 through 5-106-6 below. Total values for residential, commercial, and utilities are shown at the bottom of each community estimated damage chart below. It is important to note the following when reviewing the estimated damages:

- The Assessor's data is formatted by school district and not by incorporated jurisdiction. Integrating the appropriate figures for each incorporated jurisdiction was completed based on an understanding of the current Assessor's data limitations. It was advised that the Planning Team not rely on the Assessor's number of structures under the residential or commercial categories as out-buildings, accessory structures, and similar are not exclusively counted under one category.
- Figures shown as commercial include some housing that is rented. These figures are identified in the Assessor's data as 'non-residential'.
- The percentage of damage per hazard per participating jurisdiction is subjective and was determined by the Planning Team Members from each jurisdiction.
- The damage estimates are solely intended to provide a general understanding of the relative risk of each hazard and potential magnitude of loss.

Figure 5-106-1: Estimated Damages – Lincoln County

Estimated Damages - Lincoln County					
Hazard	% damaged	Residential	Commercial	Utility Value	Total Damages
Wildfire	75%	\$ 1,323,724,665.75	\$ 180,831,534.75	\$ 198,601,454.25	\$ 1,703,157,654.75
Flood	75%	\$ 1,323,724,665.75	\$ 180,831,534.75	\$ 198,601,454.25	\$ 1,703,157,654.75
Thunderstorms	75%	\$ 1,323,724,665.75	\$ 180,831,534.75	\$ 198,601,454.25	\$ 1,703,157,654.75
Winter Storms	75%	\$ 1,323,724,665.75	\$ 180,831,534.75	\$ 198,601,454.25	\$ 1,703,157,654.75
Drought	75%	\$ 1,323,724,665.75	\$ 180,831,534.75	\$ 198,601,454.25	\$ 1,703,157,654.75
Dam Failure	25%	\$ 441,241,555.25	\$ 60,277,178.25	\$ 66,200,484.75	\$ 567,719,218.25
High Wind	35%	\$ 617,738,177.35	\$ 84,388,049.55	\$ 92,680,678.65	\$ 794,806,905.55
					\$ 9,878,314,397.55
Residential Parcels and Structure Value					\$ 241,108,713.00
Commercial Parcels and Structure Value					\$ 532,882,086.00
Utility Value					\$ 264,801,939.00

Figure 5-106-2: Estimated Damages – Village of Ruidoso

Estimated Damages - Village of Ruidoso					
Hazard	% damaged	Residential	Commercial	Utility Value	Total Damages
Wildfire	75%	\$ 1,065,445,575.75	\$ 468,282,042.00	\$ 27,614,232.00	\$ 1,561,341,849.75
Flood	25%	\$ 355,148,525.25	\$ 156,094,014.00	\$ 9,204,744.00	\$ 520,447,283.25
Thunderstorms	25%	\$ 355,148,525.25	\$ 156,094,014.00	\$ 9,204,744.00	\$ 520,447,283.25
Winter Storms	50%	\$ 710,297,050.50	\$ 312,188,028.00	\$ 18,409,488.00	\$ 1,040,894,566.50
Drought	10%	\$ 142,059,410.10	\$ 62,437,605.60	\$ 3,681,897.60	\$ 208,178,913.30
Dam Failure	75%	\$ 1,065,445,575.75	\$ 468,282,042.00	\$ 27,614,232.00	\$ 1,561,341,849.75
High Wind	25%	\$ 355,148,525.25	\$ 156,094,014.00	\$ 9,204,744.00	\$ 520,447,283.25
					\$ 5,933,099,029.05

Estimated Damages - Village of Ruidoso					
Hazard	% damaged	Residential	Commercial	Utility Value	Total Damages
<i>Residential Parcels and Structure Value</i>					\$ 1,420,594,101.00
<i>Commercial Parcels and Structure Value</i>					\$ 624,376,056.00
<i>Utility Value</i>					\$ 36,818,976.00

Figure 5-106-3: Estimated Damages – City of Ruidoso Downs

Estimated Damages - City of Ruidoso Downs					
Hazard	% Damages	Residential	Commercial	Utility Value	Total Damages
Wildfire	30%	\$ 34,101,927.90	\$ 23,456,690.10	\$ 1,617,372.00	\$ 59,175,990.00
Flood	20%	\$ 22,734,618.60	\$ 15,637,793.40	\$ 1,078,248.00	\$ 39,450,660.00
Thunderstorms	30%	\$ 34,101,927.90	\$ 23,456,690.10	\$ 1,617,372.00	\$ 59,175,990.00
Winter Storms	40%	\$45,469,237.20	\$31,275,586.80	\$ 2,156,496.00	\$ 78,901,320.00
Drought	20%	\$ 22,734,618.60	\$ 15,637,793.40	\$ 1,078,248.00	\$ 39,450,660.00
Dam Failure	20%	\$ 22,734,618.60	\$ 15,637,793.40	\$ 1,078,248.00	\$ 39,450,660.00
High Wind	35%	\$39,785,582.55	\$27,366,138.45	\$ 1,886,934.00	\$ 69,038,655.00
					\$ \$384,643,935.00
<i>Residential Parcels and Structure Value</i>					\$ 113,673,093.00
<i>Commercial Parcels and Structure Value</i>					\$ 78,188,967.00
<i>Utility Value</i>					\$ 5,391,240.00

Figure 5-106-4: Estimated Damages – Town of Carrizozo

Estimated Damages - Town of Carrizozo					
Hazard	% Damages	Residential	Commercial	Utility Value	Total Damages
Wildfire	30%	\$ 10,610,915.40	\$ 11,493,198.90	\$ 1,473,137.10	\$ 23,577,251.40
Flood	25%	\$ 8,842,429.50	\$ 9,577,665.75	\$ 1,227,614.25	\$ 19,647,709.50

Estimated Damages - Town of Carrizozo					
Hazard	% Damages	Residential	Commercial	Utility Value	Total Damages
Thunderstorms	10%	\$ 3,536,971.80	\$ 3,831,066.30	\$ 491,045.70	\$ 7,859,083.80
Winter Storms	10%	\$ 3,536,971.80	\$ 3,831,066.30	\$ 491,045.70	\$ 7,859,083.80
Drought	10%	\$ 3,536,971.80	\$ 3,831,066.30	\$ 491,045.70	\$ 7,859,083.80
High Wind	30%	\$ 10,610,915.40	\$ 11,493,198.90	\$ 1,473,137.10	\$ 23,577,251.40
					\$ 90,379,463.70
Residential Parcels and Structure Value					\$ 35,369,718.00
Commercial Parcels and Structure Value					\$ 38,310,663.00
Utility Value					\$ 4,910,457.00

Figure 5-106-5: Estimated Damages – Village of Capitan

Estimated Damages - Village of Capitan					
Hazard	% Damages	Residential	Commercial	Utility Value	Total Damages
Wildfire	50%	\$ 38,288,125.50	\$ 10,295,800.50	\$ 1,727,028.00	\$ 50,310,954.00
Flood	10%	\$ 7,657,625.10	\$ 2,059,160.10	\$ 345,405.60	\$ 10,062,190.80
Thunderstorms	50%	\$ 38,288,125.50	\$ 10,295,800.50	\$ 1,727,028.00	\$ 50,310,954.00
Winter Storms	30%	\$ 22,972,875.30	\$ 6,177,480.30	\$ 1,036,216.80	\$ 30,186,572.40
Drought	20%	\$ 15,315,250.20	\$ 4,118,320.20	\$ 690,811.20	\$ 20,124,381.60
High Wind	10%	\$ 7,657,625.10	\$ 2,059,160.10	\$ 345,405.60	\$ 10,062,190.80
					\$ 171,057,243.60
Residential Parcels and Structure Value					\$ 76,576,251.00
Commercial Parcels and Structure Value					\$ 20,591,601.00
Utility Value					\$ 3,454,056.00

Figure 5-106-6: Estimated Damages – Village of Corona

Estimated Damages - Village of Corona					
Hazard	% Damages	Residential	Commercial	Utility Value	Total Damages
Wildfire	40%	\$ 2,867,054.80	\$ 6,664,982.40	\$ 1,880,600.40	\$ 11,412,637.60
Thunderstorms	30%	\$ 2,150,291.10	\$ 4,998,736.80	\$ 1,410,450.30	\$ 8,559,478.20
Winter Storms	30%	\$ 2,150,291.10	\$ 4,998,736.80	\$ 1,410,450.30	\$ 8,559,478.20
Drought	30%	\$ 2,150,291.10	\$ 4,998,736.80	\$ 1,410,450.30	\$ 8,559,478.20
High Wind	30%	\$ 2,150,291.10	\$ 4,998,736.80	\$ 1,410,450.30	\$ 8,559,478.20
					\$ 45,650,550.40
Residential Parcels and Structure Value					\$ 7,167,637.00
Commercial Parcels and Structure Value					\$ 16,662,456.00
Utility Value					\$ 4,701,501.00

#### 5.4.4 *Social Vulnerability*

For the 2018 HMP, impacts to the population were estimated by intersecting the hazards with the 2010 Census block population for each participating jurisdiction. The four population categories identified in the 2018 HMP were second home, disabled, elderly, and poverty.

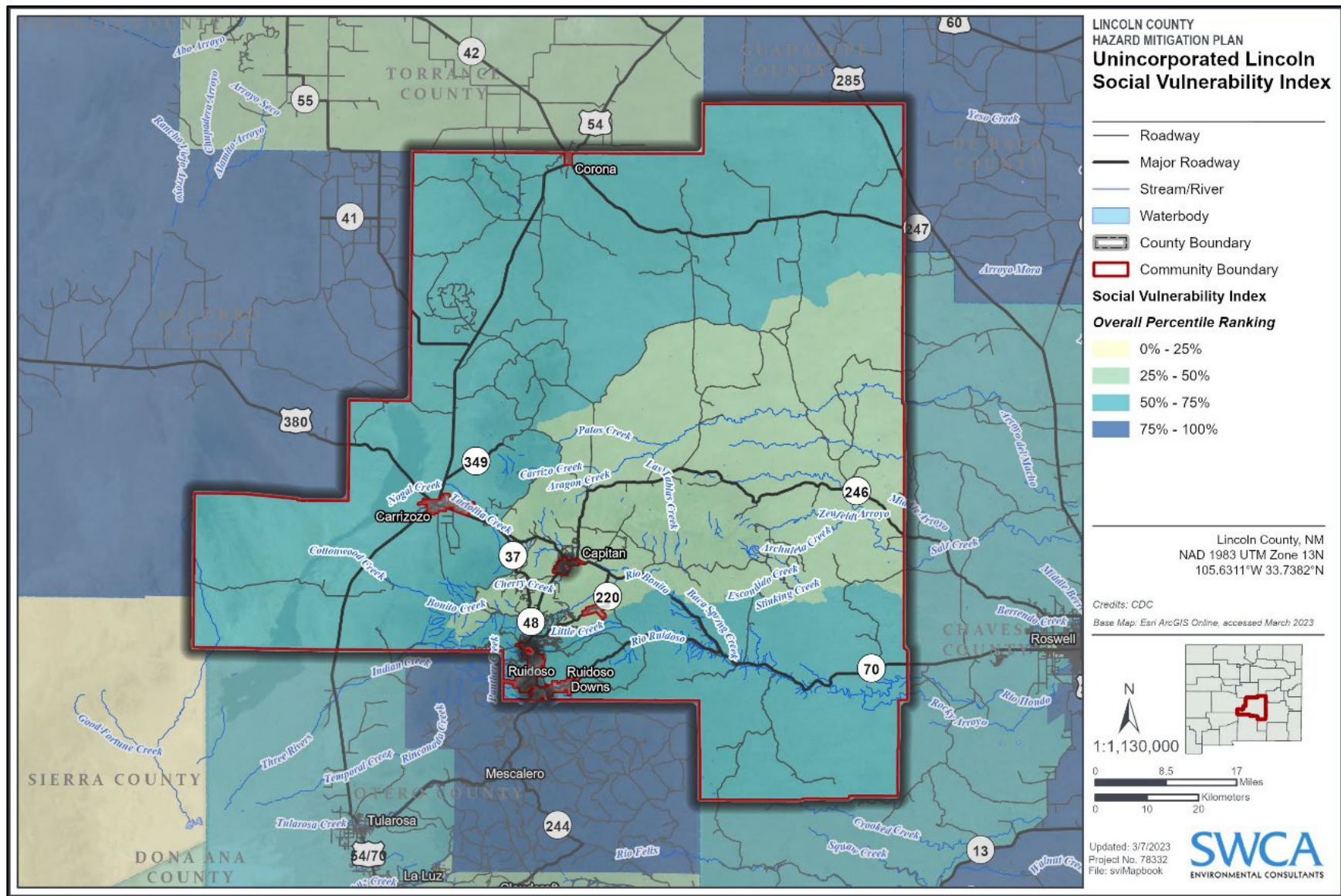
As the terminology has changed in past several years, we now refer to social vulnerability as “the potential for loss within an individual or social group, recognizing that some characteristics influence an individual’s or group’s ability to prepare, respond, cope, or recover from an event. These characteristics can overlap within populations to create heightened vulnerability, which may be compounded by infrastructure deficiencies within communities and historic or existing discriminatory government policies” (FEMA 2023a). Understanding the location and number of vulnerable populations is necessary for emergency managers, first responders, community planners, and decision makers to build capacity to mitigate and recover from hazard events. By better understanding vulnerable populations and the challenges they face, communities can identify proactive mitigation actions to lessen the impacts of natural disasters for these community members in particular.

For this HMP Update, the Center for Disease Control and Prevention’s (CDC) Social Vulnerability Index Rating (SVI rating) was identified for each community (ATSDR 2022). The overall SVI rating identifies the relative vulnerability for each census tract in the country. It considers 15 different social vulnerability indicators that are grouped into four different categories.

1. Socioeconomic: Below 150% Poverty; Unemployed; Housing Cost Burden; No High School Diploma; No Health Insurance
2. Household Characteristics: Aged 65 and Older; Aged 17 and Younger; Civilian with a Disability; Single-Parent Households; English Language Proficiency
3. Racial & Ethnic Minority Status
4. Housing Type and Transportation; Multi-Unit Structures; Mobile Homes; Crowding; No Vehicle; Group Quarters

Figure 5-107 shows the SVI rating for each tract and Figure 5-108 shows the SVI rating for each participating jurisdiction. As an example, Lincoln County’s SVI ranking signifies that 71.07% of tracts in the nation are less vulnerable than the Lincoln County tracts, and that 28.93% tracts in the nation are more vulnerable.

**Figure 5-107: SVI Rating by Tract**



**Figure 5-108: Overall SVI Rating per Participating Jurisdiction**

Overall SVI Rating per Participating Jurisdiction	
Jurisdiction	SVI Rating
Lincoln County	71.07%
Village of Ruidoso	62.40%*
City of Ruidoso Downs	60.51%
Town of Carrizozo	77.47%*
Village of Capitan	47.16%
Village of Corona	77.47%

\*Average of two Census Tracts

In addition to identifying the overall SVI rating for each community, the Planning Team identified six social vulnerability indicators to analyze in more detail. Figure 5-109 shows the total population for each participating jurisdiction plus the percent of the population below poverty, without health insurance, 65 and older, with a disability, households without a smartphone, and households without a broadband subscription. This data is sourced from the U.S. Census Bureau's American Community Survey (2020). Based on the information shown below emergency managers, first responders, community planners, and decision makers may choose to:

- Provide strategic outreach that does not rely on internet in communities with a higher percentage of households without a broadband subscription.
- Provide strategic outreach that does not rely on a smartphone for accessing information in communities with a higher percentage of households without smartphones.
- Plan for and accommodate older and disabled community members when responding to, recovering from, and mitigating natural disasters. An example would be to include accessible shelters for jurisdictions with a higher percentage of older or disabled community members.
- Plan for and accommodate community members that are below poverty or do not have health insurance when responding to, recovering from, and mitigating natural disasters. An example would be to provide meals and medical services for jurisdictions with a higher percentage of community members that are below poverty or do not have health insurance.

**Figure 5-109: Social Vulnerability Indicators per Participating Jurisdiction**

Social Vulnerability Indicators per Participating Jurisdiction							
Jurisdiction	Total Population	% Below Poverty	% w/o Health Insurance	% 65 and Older	% with Disability	% Households w/o Smartphones	% Households w/o Broadband
Lincoln County	7,283	6.44%	13.83%	34.63%	23.09%	8.99%	9.47%
Village of Ruidoso	7,629	9.40%	10.50%	27.90%	20.50%	10.40%	17.30%
Capitan	1,354	9.40%	3.60%	25.50%	26.80%	27.50%	18.70%

Social Vulnerability Indicators per Participating Jurisdiction							
Jurisdiction	Total Population	% Below Poverty	% w/o Health Insurance	% 65 and Older	% with Disability	% Households w/o Smartphones	% Households w/o Broadband
Ruidoso Downs	2,618	32.50%	15.30%	22.10%	17.30%	16.20%	33.90%
Carrizozo	904	37.90%	18.40%	21.50%	29.20%	27.70%	46.80%
Corona	104	4.80%	1.00%	34.60%	38.50%	21.00%	12.90%

## 5.5 Priority Risk Index Evaluation

The Priority Risk Index (PRI) is used to assess the perceived overall risk for each of the hazards for each participating jurisdiction. The PRI value is obtained by assigning varying degrees of risk to five categories for each hazard, and then calculating an index value based on a weighting approach. The PRI value can be used to compare relative importance of each hazard within one community and across all communities. The 2018 HMP included a PRI index ranking at the beginning of the Vulnerability Section.

For the HMP Update, the Planning Team made several changes to the approach for the PRI. The definitions for each category were reviewed and several were updated to clarify the intent. The weighting approach for each category was maintained as identified in the 2018 HMP. As changed by the Planning Team, a description of each category is below.

**Probability:** The likelihood of the hazard occurring or reoccurring. It may be defined in historical frequencies, statistical probabilities, hazard probability maps and/or general descriptors (e.g., unlikely, likely, highly likely).

The probability of future occurrences was assessed based on the frequency of past occurrences over the planning period of six years, from January 2017 through December 2022 (the collection ended in December 2016 for the 2018 HMP). Below are the definitions for each of four categories (Unlikely, Possible, Likely, and Highly Likely). For example, a hazard that occurred 3 out of the last six years would be categorized as “Likely”. This probability analysis was conducted for each hazard for each community.

In addition to the general definitions described, the Planning Team analyzed the annual probability for 2017 to 2022 and over time based on available records for each hazard. The total number of occurrences was divided by the number of years of available data. Annual probability is calculated based on the number of occurrences divided by the number of years of data and presented as a percent anticipated to occur in 1 year. The annual probability percentage for 2017 through 2022 was determined based on how many times the event occurred in the 6 year period. By comparing the annual probability from the past six years with that of all records over time, the Planning Team can consider potential changes over time, including potential impacts due to climate change. Annual probability for 2017 to 2022 and annual probability over time is shown in the hazard profiles.

- “Unlikely” means no events were recorded from 2017 through 2022. This results in 0 to 16.65% annual probability.
- “Possible” means one to two events were recorded from 2017 through 2022. This results in between 16.66% and 33.33% annual probability.

- “Likely” means three to four events were recorded from 2017 through 2022. This results in between 33.34% and 66.67% annual probability.
- “Highly Likely” means five or more events were recorded from 2017 through 2022. This results in between 66.68% and 100% annual probability.

**Impact:** The consequences or effects of each hazard on the participant’s assets identified in the vulnerability assessment.

Future impact was assessed based on the number of deaths, injuries, property damage, and critical facility impact. For a hazard to be categorized, only one of the criteria at each level must be reached. For example, if a community had one hazard event that causes a shutdown of critical facilities for 1 day or longer, it would be categorized as a “Limited” impact.

**Spatial Extent:** The geographic area of each participating jurisdiction that may be impacted by the hazard. Note this is a different concept than ‘extent’ as discussed in the hazard profiles with the meaning of magnitude or severity.

**Warning Time:** Amount of time before hazard occurrence that community knows the event is anticipated.

**Duration:** Amount of time the hazard occurs in a specific community.

Application of the PRI is illustrated by the following example below. Community #1 is assessing the hazard of flooding, and has decided that the following assignments best describe the flooding hazard for their community:

- Probability = Likely (3), Impact = Critical (3), Spatial Extent = small (2), Warning Time = 12-24 hours (2), Duration = Less than 6 hours (1)

The PRI for the flooding hazard would then be:

$$PRI = [(3*0.30) + (3*0.30) + (2*0.20) + (2*0.10) + (1*0.10)] PRI = 2.5$$

Figure 5-110 shows the blank PRI Calculator Template. Figures 5-111-1 through 5-111-6 show the category ranking and PRI for each hazard in a table summary for each participating jurisdiction. Figure 5-112 shows the PRI values for all participating jurisdictions and all hazards for ease of comparison.

Figure 5-110: PRI Calculator Template

PRIORITY RISK INDEX CALCULATOR						
HAZARD:		COMMUNITY:				
PRI Category	Level	Criteria	Index Value	Assigned Weight	Index Value	PRI/Category
Probability	Unlikely	Up to 16.65% (no events in past 6 years)	1	0.30	0	0.00
	Possible	Between 16.66% and 33.33% ( 1-2 events in past 6 years)	2			
	Likely	Between 33.34% and 83.32% ( 3-4 events in past 6 years)	3			
	Highly Likely	83.33% and higher (5 or more events in past 6 years)	4			
Impact	Minor	Very few injuries, only minor property damage, minimal disruption on quality of life, or temporary shutdown of critical facilities.	1	0.30	0	0.00
	Limited	Minor injuries, more than 10% of property in affected area damaged or destroyed, or complete shutdown of critical facilities for more than one day.	2			
	Critical	Multiple deaths/injuries possible, more than 25% of property in affected area damaged or destroyed, or complete shutdown of critical facilities for more than one week.	3			
	Catastrophic	High number of deaths/injuries possible, more than 50% of property in affected area damaged or destroyed, or complete shutdown of critical facilities for 30 days or more.	4			
Spatial Extent	Negligible	Up to 1% of area affected	1	0.20	0	0.00
	Small	Between 1.1% and 10% of area affected	2			
	Moderate	Between 10.1% and 50% of area affected	3			
	Large	Between 50.1% and 100% of area affected	4			
Warning Time	More than 24 hours	Self explanatory	1	0.10	0	0.00
	12 to 24 hours	Self explanatory	2			
	6 to 12 hours	Self explanatory	3			
	Less than 6 hours	Self explanatory	4			
Duration	Less than 6 hours	Self explanatory	1	0.10	0	0.00
	Less than 24 hours	Self explanatory	2			
	Less than one week	Self explanatory	3			
	More than one week	Self explanatory	4			
			PRI VALUE 0.00			

Figure 5-111-1: PRI Summary for Lincoln County

PRI Summary – Lincoln County							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	Wildfire	Highly Likely	Catastrophic	Moderate	< 6 hrs	> Week	3.8
2	Flood	Highly Likely	Critical	Moderate	< 6 hrs	< Week	3.7
3	Thunderstorms	Highly Likely	Catastrophic	Moderate	6 - 12 hrs	< 24 hrs	3.3
4	Winter Storms	Highly Likely	Critical	Moderate	6 – 12 hrs	< Week	3.0
5	High Wind	Highly Likely	Limited	Moderate	< 24 hrs	< Week	2.8
6	Drought	Likely	Limited	Large	> 24 hrs	> Week	2.7
7	Dam Failure	Unlikely	Critical	Moderate	6 – 12 hrs	< Week	2.5

Figure 5-111-2: PRI Summary for Village of Ruidoso

PRI Summary – Village of Ruidoso							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	Wildfire	Possible	Catastrophic	Moderate	< 6 hrs	< Week	3.1
2	Flood	Highly Likely	Critical	Small	6 - 12 hrs	< Week	3.1
3	High Wind	Highly Likely	Critical	Moderate	> 24 hrs	< Week	3.1
4	Dam Failure	Unlikely	Catastrophic	Moderate	< 6 hrs	> Week	2.9
5	Thunderstorms	Likely	Limited	Moderate	> 24 hrs	< Week	2.5
6	Winter Storm	Likely	Limited	Moderate	> 24 hrs	< Week	2.5
7	Drought	Likely	Limited	Small	> 24 hrs	> Week	2.4

Figure 5-111-3: PRI Summary for City of Ruidoso Downs

PRI Summary – City of Ruidoso Downs							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	High Wind	Highly Likely	Limited	Moderate	12 -24 hrs	< Week	2.9
2	Winter Storm	Highly Likely	Limited	Moderate	12 -24 hrs	< Week	2.6
3	Wildfire	Possible	Limited	Moderate	< 6 hrs	< Week	2.5
4	Drought	Likely	Minor	Large	> 24 hrs	> Week	2.5
5	Dam Failure	Unlikely	Limited	Large	< 6 hrs	> Week	2.5
6	Thunderstorms	Possible	Limited	Moderate	12 -24 hrs	< Week	2.3
7	Flood	Possible	Limited	Small	6 - 12 hrs	< Week	2.2

Figure 5-111-4: PRI Summary for Town of Carrizozo

PRI Summary – Town of Carrizozo							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	High Wind	Highly Likely	Limited	Moderate	6 - 12 hrs	< 24 hrs	2.9
2	Thunderstorms	Likely	Limited	Moderate	12 - 24 hrs	< Week	2.6
3	Winter Storms	Possible	Limited	Moderate	12 - 24 hrs	< Week	2.3
4	Drought	Likely	Minor	Moderate	> 24 hrs	> Week	2.3
5	Wildfire	Unlikely	Limited	Small	< 6 hrs	< 6 hrs	1.8
6	Flood	Unlikely	Minor	Small	< 6 hrs	< 24 hrs	1.6

Figure 5-111-5: PRI Summary for Village of Capitan

PRI Summary – Village of Capitan							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	Wildfire	Highly Likely	Limited	Moderate	< 6 hrs	< 24 hrs	3.0
2	High Wind	Highly Likely	Limited	Large	> 24 hrs	< 24 hrs	2.9
3	Winter Storms	Likely	Limited	Large	> 24 hrs	< Week	2.7
4	Flood	Likely	Limited	Small	< 6 hrs	< 24 hrs	2.5
5	Drought	Likely	Minor	Large	> 24 hrs	> week	2.5
6	Thunderstorms	Likely	Limited	Moderate	> 24 hrs	< 24 hrs	2.4

Figure 5-111-6: PRI Summary for Village of Corona

PRI Summary – Village of Corona							
Priority	Hazard	Probability	Impact	Spatial Extent	Warning Time	Duration	PRI
1	High Wind	Highly Likely	Limited	Large	12 - 24 hrs	< 24 hrs	3.0
2	Thunderstorm	Likely	Limited	Moderate	6 – 12 hrs	< 6 hrs	2.5
3	Wildfire	Unlikely	Limited	Moderate	< 6 hrs	> Week	2.3
4	Winter Storms	Possible	Limited	Moderate	12 - 24 hrs	< Week	2.3
5	Drought	Likely	Minor	Moderate	> 24 hrs	> Week	2.3

Figure 5-112: PRI Values for All Participating Jurisdictions and All Hazards

Priority Risk Index for All Participating Jurisdictions and All Hazards						
Hazard	Lincoln County	Village of Ruidoso	City of Ruidoso Downs	Town of Carrizozo	Village of Capitan	Village of Corona
Wildfire	3.8	3.7	3.1	1.8	3.0	2.3
Flood	3.7	3.1	2.7	1.6	2.5	not profiled
Thunderstorm	3.5	2.5	2.3	2.6	2.4	2.5
Winter Storm	3.3	2.5	2.6	2.3	2.7	2.3
High Wind	2.8	3.1	2.9	2.9	2.9	3.0
Drought	2.7	2.4	2.5	2.3	2.5	2.3
Dam Failure	2.5	2.9	2.5	not profiled	not profiled	not profiled

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## SECTION 6: MITIGATION STRATEGY

**§201.6(c)(3):** [The plan must include the following: a] *mitigation strategy* that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and its ability to expand on and improve these existing tools. This section must include:

- i. A description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
- ii. A section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure. All plans approved by FEMA after October 1, 2008, must also address the jurisdiction's participation in the NFIP, and continued compliance with NFIP requirements, as appropriate.
- iii. An action plan describing how the actions identified in [paragraph \(c\)\(3\)\(ii\)](#) of this section will be prioritized, implemented, and administered by the local jurisdiction. Prioritization will include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.
- iv. For multi-jurisdictional plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.

The mitigation strategy provides the “what, when, and how” of actions that will reduce or eliminate natural hazard impacts. The primary components of the mitigation strategy are generally categorized into the Goals and Objectives, Capability Assessment, Mitigation Actions and Implementation Strategy. The full 2018 HMP strategy was reviewed and updated by the Planning Team. For each section below, the Planning Team evaluated the 2018 approach and made changes for the 2023 HMP. Specifics of the changes and updates are discussed in the subsections below.

### 6.1 Hazard Mitigation Goals and Objectives

The ultimate mission of all hazard mitigation is the protection and preservation of life and property from the effects of the occurrence of natural hazards. Local governments can make progress toward this goal through coordinated planning and financing to achieve the specific objectives set forth in their hazard mitigation plans. The 2018 HMP goals and objectives were reviewed by the Planning Team and were determined to still be appropriate for all the participating jurisdictions. The only change made was to add one missing word from the first 2018 HMP goal (underlined below). The 2023 HMP goals are as follows:

- Reduce or eliminate risks from hazardous conditions that cause loss of life or inflict injury;
- Reduce or eliminate hazardous conditions that cause property damage;
- Reduce or eliminate hazardous conditions that degrade important natural resources; and
- Reduce or eliminate hazardous conditions that impact the community’s recovery time in emergency response.

Mitigation strategies in this HMP address critical infrastructure, public assets, private property, and impacts to the communities’ quality of life. The following mitigation objectives are the general steps the communities will take to accomplish the goals:

- Increasing awareness of hazards and their effects;
- Decreasing the possibility of impact from the most significant threats;
- Decreasing the vulnerability of critical and non-critical facilities;
- Increasing established response mechanisms by enhancing partnerships; and

- Increasing coordination and communication between levels of government regarding incidents and response mechanisms.

## 6.2 Capability Assessment

An important component of the Mitigation Strategy is a review of each participating jurisdiction's resources in order to identify, evaluate, and enhance the capacity of local resources to mitigate the effects of hazards. The capability assessment is comprised of several components:

- ✓ Legal and Regulatory Review – This summarizes the legal and regulatory capabilities, including ordinances, codes, plans, manuals, guidelines, and technical reports that address hazard mitigation activities.
- ✓ Technical Staff and Personnel – This summarizes the administrative and technical capacity of the participating jurisdiction's staff, personnel resources, and in some cases contract services.
- ✓ Fiscal Capability – This summarizes each participating jurisdiction's fiscal capability to provide the financial resources to implement the mitigation strategy.
- ✓ NFIP Program Participation – Although a portion of the NFIP description was included in the flood profile (Section 5), an assessment of each community's participation in the NFIP is included here as a way to measure local capability.

### 6.2.1 Jurisdictional Capabilities

Figures 6-1-1 through 6-1-6 provide an overview of the legal and regulatory capabilities, the staff and personnel capabilities, and the fiscal capabilities of each participating jurisdiction. The information provided includes a brief listing of current codes, mitigation relevant ordinances, plans, and studies/reports. However, prior to the capability figures for each participating jurisdiction, the Planning Team has included a summary description of key plans, ordinances, and programs relevant to the HMP.

The Lincoln County CWPP (2019) provides a framework to address wildfire risk throughout Lincoln County and specifically identified at risk communities within or near the WUI. The CWPP allows both at-risk communities and the County as a whole to evaluate current conditions and identify opportunities, strategies, and resources for wildfire mitigation. Additionally, the plan proposes important actions and recommendations to prevent wildfire risk including developing defensible space around structures and valuable infrastructure, fuels management efforts, increasing public engagement and outreach efforts, adopting additional rules and regulations in the WUI, prioritizing training for county and municipal fire districts, and collaborating with fire protection authorities throughout the region.

The Village of Ruidoso is a proud Firewise community and is committed to preparing for and preventing wildfires within the community. In 2003, the Village established its own Forestry Department, which has led to the creation and revision of fire safety ordinances and standards including the Village of Ruidoso Fire Ordinance (2021), the Village of Ruidoso Fuels Management Standards (2016), and the Village of Ruidoso Urban-Wildland Interface Code (2007). The Fire Ordinance is part of the Village's municipal code and addresses requirements for fire safety inspections and penalties associated with violations. The Fuels Management Standards specify requirements for minimizing fire risk to properties in the Village. The standards are categorized into zones according to their proximity to structures. Lastly, the Urban-Wildland Interface Code addresses regulations to mitigate fire risks, including the use of 1-hour fire-resistive building materials; enclosing eaves, fascias, and soffits; and performing forest debris removal. Each of these documents work together to increase the Village of Ruidoso's capacity to meet its hazard mitigation goals and objectives.

The Village of Ruidoso Comprehensive Plan (2019) includes a dedicated section on hazard mitigation, highlighting the Village’s current conditions, capacity to address hazards, existing plans, policies, and programs, accomplishments, planned improvements, and future goals and objectives. One of the Village’s primary goals is to maintain a well-educated community around hazard mitigation. The Village has created numerous community groups, educational programs, and publicly available resources to educate and inform community members on hazard mitigation and response strategies. Additionally, the Village is committed to adopting additional hazard mitigation rules and regulations, enforcing fuels management standards on private property, and collaborating with surrounding jurisdictions on hazard mitigation and response efforts.

The City of Ruidoso Downs Comprehensive Plan (2021) includes a hazard mitigation element that describes the approaches and strategies adopted by the City to reduce both short-term and long-term risk from various hazards. The plan addresses coordination with the Lincoln County Office of Emergency Management, existing hazard mitigation plans, descriptions of specific hazards with the potential to impact Ruidoso Downs, and outlines hazard mitigation best practices recommended by FEMA and the American Planning Association. Of the numerous goals, objectives, and strategies outlined in the plan, Ruidoso Downs has prioritized improving the community’s ability to prepare for, respond to, and recover from hazards, reducing the risk of wildfire, and minimizing the City’s vulnerability to flooding and dam failure.

The Town of Carrizozo Comprehensive Plan (2021) includes a dedicated section on hazard mitigation, summarizing the Town’s existing fire protection, emergency services, and mitigation efforts. This section also integrates existing plans and policies, recommendations to improve mitigation strategies and emergency response, and the Town’s planned goals, policies, and actions for the coming years. Specifically, the Town of Carrizozo included a specific goal to ensure residents are well-educated in hazard mitigation measures. The Town identified the benefits of building a stronger working relationship with Lincoln County related to hazard mitigation planning and implementation efforts. The Town of Carrizozo also hopes to enhance partnerships with federal and state entities in order to support the Town’s goals to improve fire and law enforcement services, emphasize education to inform residents of potential hazards and best practices for mitigation, and increase overall fire safety in the community.

Figures 6-1-1-1 through 6-1-6-3 summarize 1) the legal and regulatory capabilities, 2) the staff and personnel employed by each participating jurisdiction that serve as a resource for hazard mitigation, plus 3) the fiscal capability and budgetary tools available to each participating jurisdiction. Each of these three figures are listed below by jurisdiction. The asterisk\* highlights the jurisdiction’s explanation on how these capabilities can be expanded.

**Figure 6-1-1-1: Legal and Regulatory Capabilities for Lincoln County**

<b>Regulatory Tools for Hazard Mitigation</b>	<b>Description</b>	<b>Responsible Department/Agency</b>
CODES	<ul style="list-style-type: none"> <li>• International Building Code (IBC) 2021</li> <li>• International Residential Code (IRC) 2021</li> <li>• International Energy Conservation Code (IECC) 2018</li> <li>• National Fire Protection Code (NFPA) 2021</li> </ul>	<ul style="list-style-type: none"> <li>• NM State Construction Industries Division</li> </ul>

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
ORDINANCES	<ul style="list-style-type: none"> <li>Subdivision/Zoning Ordinance</li> <li>Open Burning Ordinance 2011</li> <li>Flood Damage Prevention Ordinance 2014</li> </ul>	<ul style="list-style-type: none"> <li>Planning Department</li> <li>Office of Emergency Services (OES)</li> <li>County Floodplain Manager</li> </ul>
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>Comprehensive Plan 2007</li> <li>ICIP 2024-2028</li> <li>Local Emergency Operations Plan 2014</li> <li>County CWPP 2019</li> <li>Mescalero Lake Dam Emergency Action Plan (EAP) 2014</li> <li>Upper Hondo Dam EAP 2018</li> <li>Bonito Dam EAP 2023 (certification pending)</li> </ul>	<ul style="list-style-type: none"> <li>Planning Department</li> <li>Lincoln County Manager</li> <li>Lincoln County Emergency Services Director</li> <li>Lincoln County Emergency Services Director</li> <li>BIA (owner) and Mescalero Apache Tribe (operator)</li> <li>Upper Hondo Soil and Water Conservation District</li> <li>City of Alamogordo Utilities Department</li> </ul>

\*Legal and regulatory capabilities for Lincoln County can be expanded by adding a code enforcement officer, and development of a Communication Plan.

**Figure 6-1-1-2: Staff and Personnel Capabilities for Lincoln County**

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Contract personnel
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Contract personnel
Floodplain Manager	<input checked="" type="checkbox"/>	Lincoln County Planning Department
Surveyors		Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	Lincoln County Emergency Services Director Fire Chief EMS
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Contract personnel
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Contract personnel
Emergency Manager	<input checked="" type="checkbox"/>	Lincoln County Emergency Services Director

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Grant writer(s)	<input checked="" type="checkbox"/>	Contract personnel
Others		

\*Technical staff and personnel capabilities can be expanded by hiring a county engineer.

**Figure 6-1-1-3: Fiscal Capabilities for Lincoln County**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	Every few years, the County receives CDBG funds. To date no mitigation projects have been implemented.
CIP funding	Yes	Fire Department station improvements and apparatus. To date no mitigation projects have been implemented.
Authority to levy taxes for specific purposes	Yes	Used to build the new hospital. To date no mitigation projects have been implemented.
Fees for water, sewer, gas, or electric service	No	
Impact fees for homebuyers or new developments/homes	No	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Other USDA/NRCS Rural Development	Yes	Funds were used in 2021 to modify drainage after a flood in the Hondo Valley. NRCS directly funded acequias in 2021 to rebuild a low-water crossing and improve drainage.

\*Fiscal capabilities can be expanded by bond issues and State and Federal grants.

**Figure 6-1-2-1: Legal and Regulatory Capabilities for Village of Ruidoso**

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
CODES	<ul style="list-style-type: none"> <li>International Building Code (IBC) 2015</li> <li>International Residential Code (IRC) 2018</li> <li>International Energy Conservation Code (IECC) 2018</li> <li>National Fire Protection Code (NFPA) 2021</li> </ul>	<ul style="list-style-type: none"> <li>Planning Department</li> </ul>
ORDINANCES	<ul style="list-style-type: none"> <li>Floodplain Management Ordinance</li> <li>Subdivision/Zoning Ordinance</li> <li>Village Fire Ordinance</li> <li>Village Fuels Management Standards</li> <li>Village Urban Wildland Interface Code</li> </ul>	<ul style="list-style-type: none"> <li>Village Floodplain Manager</li> <li>Planning Department</li> <li>Forestry Director</li> <li>Forestry Director</li> <li>Forestry Director</li> </ul>
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>Comprehensive Plan 2019</li> <li>ICIP 2024-2028</li> <li>Village Emergency Operations Plan 2018</li> <li>County CWPP 2019</li> <li>Grindstone Canyon Dam Emergency Action Plan (EAP) 2016</li> <li>Alto Lake Dam EAP 2017</li> </ul>	<ul style="list-style-type: none"> <li>Planning Department</li> <li>City Manager</li> <li>Emergency Manager</li> <li>Forestry Director</li> <li>Water Production Manager</li> <li>Water Production Manager</li> </ul>

\* Legal and regulatory capabilities for the Village of Ruidoso can be expanded by developing a Communication Plan.

**Figure 6-1-2-2: Staff and Personnel Capabilities for Village of Ruidoso**

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Planning Department Water Resource Department
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Water Resource Department Contract personnel
Floodplain Manager	<input checked="" type="checkbox"/>	Village Floodplain Manager

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Surveyors	<input checked="" type="checkbox"/>	Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	EMS Fire Chief Police Chief Forestry Director Water Resource Department
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Forestry Director and Forestry Staff Water Resource Manager Planning Department GIS Coordinator Contract personnel
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Forestry Director Fire Chief Police Chief Water Resource Department Public Works Director Contract personnel
Emergency Manager	<input checked="" type="checkbox"/>	Fire Chief
Grant writer(s)	<input checked="" type="checkbox"/>	Forestry Director Water Resource Department Contract personnel
Others		

\* Technical staff and personnel capabilities for the Village of Ruidoso can be expanded by hiring a village engineer.

**Figure 6-1-2-3: Fiscal Capabilities for Village of Ruidoso**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	
CIP funding	Yes	
Authority to levy taxes for specific purposes	Yes	
Fees for water, sewer, gas, or electric service	Yes	
Impact fees for homebuyers or new developments/homes	Yes	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Other	Yes	

\* Fiscal capabilities for the Village of Ruidoso can be expanded by obtaining State and Federal grants, and low interest loans.

**Figure 6-1-3-1: Legal and Regulatory Capabilities for City of Ruidoso Downs**

<b>Regulatory Tools for Hazard Mitigation</b>	<b>Description</b>	<b>Responsible Department/Agency</b>
CODES	<ul style="list-style-type: none"> <li>• International Building Code (IBC) 2021</li> <li>• International Residential Code (IRC) 2021</li> <li>• International Energy Conservation Code (IECC) 2018</li> <li>• National Fire Protection Code (NFPA) 2021</li> </ul>	<ul style="list-style-type: none"> <li>• NM State Construction Industries Division</li> </ul>
ORDINANCES	<ul style="list-style-type: none"> <li>• Floodplain Management Ordinance</li> <li>• Forest Management Ordinance (tree removal and thinning requirements)</li> <li>• Subdivision/Zoning Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>• City Floodplain Manager</li> <li>• Fire Chief, Planning and Zoning Department</li> <li>• Planning and Zoning Department</li> </ul>
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>• Comprehensive Plan 2021</li> <li>• ICIP 2024-2028</li> <li>• County CWPP 2019</li> <li>• County Emergency Operations Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Mayor</li> <li>• Fire Chief</li> <li>• City Emergency Manager (currently Fire Chief)</li> </ul>

\* Legal and regulatory capabilities for the City of Ruidoso Downs can be expanded by developing a Communication Plan.

**Figure 6-1-3-2: Staff and Personnel Capabilities for City of Ruidoso Downs**

<b>Staff/Personnel Resources</b>	<input checked="" type="checkbox"/>	<b>Department/Agency - Position</b>
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Planning Services Director
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Contract personnel
Floodplain Manager	<input checked="" type="checkbox"/>	City Floodplain Manager
Surveyors		Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	Fire Chief EMS
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Contract personnel

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Contract personnel
Emergency Manager	<input checked="" type="checkbox"/>	Fire Chief
Grant writer(s)	<input checked="" type="checkbox"/>	Contract personnel
Others		

\* Technical staff and personnel capabilities for the City of Ruidoso Downs can be expanded by hiring a Building Code Enforcement Officer and city engineer.

**Figure 6-1-3-3: Fiscal Capabilities for City of Ruidoso Downs**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	2018 grant used for roads and drainage improvements.
CIP funding	Yes	
Authority to levy taxes for specific purposes	Yes	
Fees for water, sewer, gas, or electric service	Yes	
Impact fees for homebuyers or new developments/homes	No	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Other	Yes	

\* Fiscal capabilities for the City of Ruidoso Downs can be expanded by State and Federal Grants, and low interest loans.

**Figure 6-1-4-1: Legal and Regulatory Capabilities for Town of Carrizozo**

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
CODES	<ul style="list-style-type: none"> <li>International Building Code (IBC) 2021</li> <li>International Residential Code (IRC) 2021</li> <li>International Energy Conservation Code (IECC) 2018</li> <li>National Fire Protection Code (NFPA) 2021</li> <li>Fire Prevention Code</li> </ul>	<ul style="list-style-type: none"> <li>NM State Construction Industries Division</li> <li>Mayor sends notification letter and Police Department follow-up with citation if necessary</li> </ul>

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
ORDINANCES	<ul style="list-style-type: none"> <li>Floodplain Management Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>Lincoln County Floodplain Manager</li> </ul>
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>Comprehensive Plan 2021</li> <li>ICIP</li> <li>Water Contingency Plan</li> <li>County CWPP 2019</li> </ul>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Mayor</li> <li>Public Works Superintendent</li> <li>County Emergency Manager</li> </ul>

\* Legal and regulatory capabilities for the Town of Carrizozo can be expanded by developing a Communication Plan.

**Figure 6-1-4-2: Staff and Personnel Capabilities for Town of Carrizozo**

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Contract personnel
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Contract personnel
Floodplain Manager	<input checked="" type="checkbox"/>	Managed by Lincoln County Floodplain Manager
Surveyors	<input checked="" type="checkbox"/>	Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	Town Hall Department (Mayor, Clerk, support staff)
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Contract personnel
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Contract personnel
Emergency Manager	<input checked="" type="checkbox"/>	Lincoln County Emergency Manager
Grant writer(s)	<input checked="" type="checkbox"/>	Contract personnel
Others		

\* Technical staff and personnel capabilities for the Town of Carrizozo can be expanded by hiring a Town engineer and Building Code Enforcement Officer.

**Figure 6-1-4-3: Fiscal Capabilities for Town of Carrizozo**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
CIP funding	Yes	
Authority to levy taxes for specific purposes	No	
Fees for water, sewer, gas, or electric service	No	
Impact fees for homebuyers or new developments/homes	No	
Incur debt through general obligation bonds	No	
Incur debt through special tax bonds	Yes	
Other		
NMDOT funded road improvements with flood mitigation component		9 <sup>th</sup> Street Project and Central Avenue Project (US54)

\* Fiscal capabilities for the Town of Carrizozo can be expanded by State and Federal grants, and low interest loans.

**Figure 6-1-5-1: Legal and Regulatory Capabilities for Village of Capitan**

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
CODES	<ul style="list-style-type: none"> <li>International Building Code (IBC) 2021</li> <li>International Residential Code (IRC) 2021</li> <li>International Energy Conservation Code (IECC) 2018</li> <li>National Fire Protection Code (NFPA) 2021</li> </ul>	<ul style="list-style-type: none"> <li>NM State Construction Industries Division</li> </ul>
ORDINANCES	<ul style="list-style-type: none"> <li>Floodplain Management Ordinance</li> </ul>	<ul style="list-style-type: none"> <li>Lincoln County Floodplain Manager</li> </ul>
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>Village Comprehensive Plan 2013</li> <li>County CWPP 2019</li> <li>Drinking Water Bureau Emergency Response Plan 2015</li> </ul>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Fire Chief</li> <li>Water System Manager</li> </ul>

\* Legal and regulatory capabilities for the Village of Capitan can be expanded by developing a Communication Plan.

**Figure 6-1-5-2: Staff and Personnel Capabilities for Village of Capitan**

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Contract personnel

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Contract personnel
Floodplain Manager	<input checked="" type="checkbox"/>	Managed by Lincoln County Floodplain Manager
Surveyors	<input checked="" type="checkbox"/>	Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	Fire Chief
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Contract personnel
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Contract personnel
Emergency manager	<input checked="" type="checkbox"/>	Fire Chief
Grant writer(s)	<input checked="" type="checkbox"/>	Contract personnel
Others		

\* Technical staff and personnel capabilities for the Village of Capitan can be expanded by hiring a Building Code Enforcement Officer and a village engineer.

**Figure 6-1-5-3: Fiscal Capabilities for Village of Capitan**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	
CIP funding	Yes	
Authority to levy taxes for specific purposes	Yes	
Fees for water, sewer, gas, or electric service	Yes	
Impact fees for homebuyers or new developments/homes	Don't know	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Other	Yes	

\* Fiscal capabilities for the Village of Capitan can be expanded by State and Federal grants, and low interest loans.

**Figure 6-1-6-1: Legal and Regulatory Capabilities for Village of Corona**

Regulatory Tools for Hazard Mitigation	Description	Responsible Department/Agency
CODES	<ul style="list-style-type: none"> <li>International Building Code (IBC) 2021</li> <li>International Residential Code (IRC) 2021</li> <li>International Energy Conservation Code (IECC) 2018</li> <li>National Fire Protection Code (NFPA) 2021</li> </ul>	<ul style="list-style-type: none"> <li>NM State Construction Industries Division</li> </ul>
ORDINANCES		
PLANS, MANUALS, and/or GUIDELINES	<ul style="list-style-type: none"> <li>Village Comprehensive Plan 2013</li> <li>County CWPP 2019</li> <li>Village Fire Plan 2004</li> </ul>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Fire Chief</li> <li>Fire Chief</li> </ul>

\* Legal and regulatory capabilities for the Village of Corona can be expanded by developing a Communication Plan and updating the Comprehensive Plan.

**Figure 6-1-6-2: Staff and Personnel Capabilities for Village of Corona**

Staff/Personnel Resources	<input checked="" type="checkbox"/>	Department/Agency - Position
Planner(s) or engineer(s) with knowledge of land development and land management practices	<input checked="" type="checkbox"/>	Contract personnel
Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure	<input checked="" type="checkbox"/>	Contract personnel
Planner(s) or engineer(s) with an understanding of natural and/or human- caused hazards	<input checked="" type="checkbox"/>	Contract personnel
Floodplain Manager		
Surveyors	<input checked="" type="checkbox"/>	Contract personnel
Staff with education or expertise to assess the community's vulnerability to hazards	<input checked="" type="checkbox"/>	Fire Chief
Personnel skilled in GIS and/or HAZUS	<input checked="" type="checkbox"/>	Contract personnel
Scientists familiar with the hazards of the community	<input checked="" type="checkbox"/>	Contract personnel
Emergency Manager	<input checked="" type="checkbox"/>	Fire Chief
Grant writer(s)	<input checked="" type="checkbox"/>	Contract personnel
Others		

\* Technical staff and personnel capabilities for the Village of Corona can be expanded by hiring a Building Code Enforcement Officer, and village engineer.

**Figure 6-1-6-3: Fiscal Capabilities for Village of Corona**

Financial Resources	Accessible or Eligible to Use (Yes, No, Don't Know)	Comments
Community Development Block Grants	Yes	
CIP funding	Yes	
Authority to levy taxes for specific purposes	Yes	
Fees for water, sewer, gas, or electric service	No	
Impact fees for homebuyers or new developments/homes	No	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Other	Yes	

\* Fiscal capabilities for the Village of Corona can be expanded by State and Federal grants, and low interest loans.

## 6.2.2 National Flood Insurance Program Participation

More detailed information about the NFIP and each community's participation is found in the flood hazard profile at the end of Section 5.3.2.6. The narrative below includes a general summary and responses to the 2023 NFIP assessment.

Participation in the NFIP is a key element of any community's local floodplain management and flood mitigation strategy. Lincoln County and all incorporated jurisdictions participate in the NFIP at varying levels, except for the Village of Corona. Joining the NFIP requires the adoption of a floodplain management ordinance that requires jurisdictions to follow established minimum standards set forth by FEMA and the State of New Mexico when developing in the floodplain. These standards require that all new buildings and substantial improvements to existing buildings will be protected from damage by the 1% chance flood event ("100-year flood), and that new floodplain development will not aggravate existing flood problems or increase damage to other properties.

All five NFIP participating communities have adopted standards that are more stringent than the federal minimum to do more to protect life and property. For the County, Carrizozo, and Capitan, site plans are required to be certified and footing plans are required to be prepared by a Professional Engineer. For the Village of Ruidoso, an Elevation Certificate is required by ordinance for construction of additions, new development, or substantial improvements. In addition, any construction below the BFE requires engineering. Survey and site plans are to be stamped by a design professional. For any development in the floodplain in Ruidoso Downs, site plans are required to be certified and footing plans are required to be prepared by a Professional Engineer. In addition, an Elevation Certificate from a surveyor must be obtained prior to submitting the plans for the design of a new residence in the Special Flood Hazard Area.

Each of the participating jurisdictions performed an overall assessment of their participation in the NFIP program by responding to the following questions:

**Question 1:** Describe your jurisdiction's current floodplain management / regulation process for construction of new or substantially improved development within your jurisdiction.

**Question 2:** Describe the status and/or validity of the current floodplain hazard mapping for your jurisdiction.

**Question 3:** Describe any community assistance activities (e.g., help with obtaining Elevation Certificates, flood hazard identification assistance, flood insurance acquisition guidance, public involvement activities, etc.).

**Question 4:** Describe identified needs in your floodplain management program. This could include things like updating the floodplain management code/regulation, establishing written review procedures, modifying, or adding flood hazard area mapping, etc.

Responses were provided by all jurisdictions regardless of their participation status in the NFIP program. Figure 6-2 below summarizes the responses provided by each of the currently participating jurisdictions.

**Figure 6-2: NFIP Program Assessment for Lincoln County and Participating Jurisdictions**

Jurisdiction		Responses to Questions 1-4
Lincoln County, Town of Carrizozo, Village of Capitan	Q1	Any development is regulated by an ordinance approved by the elected officials. Permit forms, certified site plans and engineered footing plans are required to be approved for any development in the floodplain. The floodplain is administered to by a CFM.
	Q2	FIRM's for floodplain do not have enough detailed information, and require the property owner to hire a Surveyor/Engineer to give the correct BFE and delineate the floodplain in all zones.
	Q3	Community assistance includes issuance of flood information letters, information on flood insurance along with hazard identification services.
	Q4	Needs are to include complete FIRMs for all locations
Village of Ruidoso	Q1	All permits are checked for flood zone. All properties in an AE or A (Village's only flood hazard zones), are then required to fill out a Floodplain Application to determine the extent of construction. An Elevation Certificate is required for construction of additions, new development, or substantial improvement. In addition, the project must meet FEMA requirements for compliance for new work and the existing development, as may be required. In 2022, the Village passed a revision to the floodplain ordinance allowing for the Floodplain Administrator to use additional resources for determining the Base Flood Elevation or for other required floodplain determination elements (Estimated BFE Viewer and inFRM tools).
	Q2	FEMA floodplain maps last updated November 5, 2014. See Ruidoso Municipal code.
	Q3	The Village provides a FIRMette upon request for properties to show property is in or out of a flood hazard zones
	Q4	Clear and accurate flood map for flood zones. FEMA maps are not accurate for most projects. Several locations have been noted where the BFE is off by several feet. In some areas the stream bed has changed in height from severe rainstorms and other factors.

Jurisdiction		Responses to Questions 1-4
City of Ruidoso Downs	Q1	The City of Ruidoso Downs follows a pre-development review process that determines if a proposed development will be impacted by the FEMA mapped floodplain. The City follows chapter 154 (Flood Hazard Regulations) of the land use ordinance to mitigate potential flood hazards in all areas of development. All building and manufactured home placements are regulated and signed off by the Floodplain Administrator prior to the work being started. An Elevation Certificate from a surveyor must be obtained prior to submitting the plans for the design of a new residence in the Special Flood Hazard Area. In addition, site plans are required to be certified and footing plans are required to be prepared by a Professional Engineer.
	Q2	The City of Ruidoso Downs adopted the recently revised and approved FEMA flood maps that were effective on November 5, 2014.
	Q3	The City of Ruidoso Downs through the Planning Department provides assistance and information to property owners on permit requirements and general insurance information. Handouts, pamphlets, an informational bulletin board, and City web site with flood zones are all options for citizens to access floodplain information. A FIRMette is provided upon request.
	Q4	The City of Ruidoso Downs will probably look at increasing our freeboard requirement to 1 foot above base flood elevation as an added safety measure in our development requirements.

## 6.3 Mitigation Actions and Implementation Strategy

Mitigation actions are identified by each participating jurisdiction for each hazard type. The process used to identify the 2023 actions was accomplished in three steps. First, an assessment of the 2018 HMP projects was performed. Second, a new list of actions for the 2023 HMP Plan was developed by combining the carry forward results from the 2018 action assessment and adding new actions. Third, an implementation strategy for each action was included in the chart descriptors. Details of each step and the results of the process are summarized in the following subsections.

Many examples wildfire mitigation projects are included in the CWPP. Figure 6-3 shows hazardous fuels reduction accomplishments south of Fire Station #1 in Ruidoso (SCM RC&D 2019). Figure 6-4 shows hazardous fuels thinning implemented and planned for the Ski Run Road area (SCM RC&D 2019).

**Figure 6-3: Hazardous Fuels Thinning Implemented South of Fire Station #1 in Ruidoso**



Source: SCM RC&D (2019)

**Figure 6-4: Hazardous Fuels Thinning Implemented and Planned, Ski Run Road 2019–2024**



Source: SCM RC&D (2019)

### 6.3.1 2018 Mitigation Actions Assessment

The Planning Team reviewed and assessed the actions listed in the 2018 HMP. The assessment included evaluating and classifying each of the previously identified actions regarding status and disposition. Status was identified as either no action, in progress, or complete. If an action was identified as in-progress, accomplishments and new steps were included in the action description. Disposition was

identified as keep, revise, or delete. This approach and the definitions are consistent with the 2018 HMP approach used for the 2012 HMP planning cycle action assessment. A listing of deleted actions is shown in Figure 6-3. The status and disposition for all actions that were kept or revised for the 2023 HMP are shown in the far right column of Figures 6-5-1 through 6-5-6.

**Figure 6-5: Deleted 2018 Actions for All Participating Jurisdictions**

<b>Community</b>	<b>Action Description</b>	<b>Hazard Mitigated</b>	<b>Reason for deletion</b>
Lincoln County	Conduct public outreach to raise awareness of threats and how to mitigate impacts from thunderstorms including how citizens can prepare for the impact of these events.	Thunderstorms	Combined with multi-hazard action in 2023 HMP
Lincoln County	Conduct public outreach awareness on the impacts of Dam Failure and how to mitigate private property and move personal property out of the way of the oncoming flood waters due to dam failure.	Dam Failure	Combined with multi-hazard action in 2023 HMP
Village of Ruidoso	Increase city's water storage capacity by adding a new water storage tank.	Drought	A new water storage tank was added in 2022. Action completed.
Village of Ruidoso	Conduct public outreach to raise awareness of threats from drought and how citizens can mitigate the impact of drought. This action can include a series of public meetings with local and visiting subject matter experts to educate the public on drought and its impacts on water availability, fire danger, flora and fauna impacts, wildlife impacts and how citizens can cope with these impacts.	Drought	Combined with multi-hazard action in 2023 HMP
Village of Ruidoso	Conduct public outreach awareness on the impacts of Dam Failure and how to mitigate private property against dam failure and move personal property out of the way of the oncoming floodwaters due to dam failure.	Dam Failure	Combined with multi-hazard action in 2023 HMP
Town of Carrizozo	Repair and/or replace existing defective hydrants and install new hydrants within town limits. Mark hydrants and erect bollards around hydrants located in high-traffic areas. Add hydrant icons on town maps and website so residents know locations and contact information for reporting leaks.	Wildfire	Considered a 'response' action and therefore not included

### 6.3.2 2023 Mitigation Actions and Implementation Strategy

After reviewing the 2018 actions and determining disposition, the Planning Team also included new actions. Each community developed new actions using the goals, objectives, updated hazard profiles, results of the vulnerability analysis, and updated capability assessment. In some cases, new actions were included for hazards that were not profiled in the 2018 HMP. In other cases, a community identified new actions based on the updated risk assessment, updated capability assessment, or increased knowledge about available resources to support mitigation. The Planning Team agreed to modify the column headers for the action charts to include the following topics,

- **Action Identifier:** This numbering system will allow for quick reference to the specific action. As agreed by the Planning Team, actions are listed in order of the County's PRI score. If two actions are to be mitigated, the action is listed in order of the first PRI named. If more than two actions are to be mitigated, the actions are listed after Dam Failure (the seventh ranked hazard for the County according to the PRI scores). After the order of the hazards, the actions are listed based on the highest priority.
- **Priority Ranking:** This high-medium-low approach to prioritization is described in Section 6.3.3.
- **Action Description:** This provides a short overview of the action intent and includes example locations in some instances.
- **Hazards Mitigated:** This lists the hazards to be mitigated by the specific action.
- **Cost Effectiveness:** This describes a favorable benefit versus cost evaluation, including monetary and non-monetary benefits. Examples of non-monetary benefits are improvement of quality of life or the natural ecosystem.
  - Low Cost Effectiveness means that the benefits may not equal costs or that more research is needed.
  - Medium Cost Effectiveness means that the benefits are estimated to equal the costs.
  - High Cost Effectiveness means that the benefits are estimated to exceed the costs.
- **Duration:** This refers to the anticipated timeline for implementation. Short duration means that the project will be implemented in years 1 or 2 of the plan approval cycle. Medium duration means that the project will be implemented in years 3 or 4 of the plan approval cycle. Long duration means that the project will be implemented in year 5 of the plan approval cycle. If a project will be implemented in several different years, duration is identified as in-progress. For in-progress duration actions a description of what steps are anticipated throughout the 5-year plan approval cycle is included in the project description.
- **Likely Responsible Entities or Parties:** This includes the organization, agency, or entity that is anticipated to serve in a leadership role to get the project planned, funded, and implemented.
- **Potential Funding Sources:** This lists the potential funding sources to implement the project. Acronyms used in the chart are defined below.
  - CWDG is the U.S. Forest Service Community Wildfire Defense Grant
  - BRIC is FEMA's Building Resilient Infrastructure and Communities grant
  - EWP is the Natural Resource Conservation Service (NRCS) Emergency Watershed Protection grant. NRCS is within the USDA
  - HMPG is FEMA's Hazards Mitigation Grant Program
  - HMGP-PF is FEMA's Hazards Mitigation Grant Program -Post Fire
  - PNM is Power New Mexico

- PER is Preliminary Engineering Report
- **2018 Status:** As described in the 2018 Mitigation Actions Assessment (Section 6.3.1), status and disposition are used to describe each action included in the 2018 HMP. Status was identified as either no action, in progress, or complete. Disposition was identified as keep, revise, or delete.

The implementation strategy is shown in the following columns of the action chart: priority ranking, cost effectiveness, duration, likely responsible entity or party, and potential funding sources.

### 6.3.3 Prioritization Process

For the 2018 HMP, each action was assigned a priority ranking of high, medium, or low based on the following considerations:

- A favorable benefit versus cost evaluation, wherein the perceived direct and indirect benefits outweighed the project cost.
- A direct beneficial impact on the ability to protect life and/or property from natural hazards.
- A mitigation solution with long-term effectiveness.

For the 2023 HMP, the Planning Team agreed to use a modified version of the Social, Technical, Aministrative, Political, Legal, Economic, and Environmental approach (STAPLE+E). For the 2012 HMP, this approach was utilized with detailed scoring for each STAPLE+E category. For the 2023 HMP, the Planning Team started with the 2012 descriptions used for each STAPLE+E category and modified the narrative to meet their current intention. Figure 6-4 summarizes the STAPLE+E categories as defined on the instruction sheet provided to the Planning Team. Each action was assigned a priority ranking of high, medium, or low based on the following definitions. Each community determined the appropriate ranking for their actions based on consideration of all STAPLE+E categories.

- A low-priority action is one that meets a few of the STAPLE+E Characteristics (one to two).
- A medium-priority action is one that meets some of the STAPLE+E Characteristics (three to four)
- A high-priority action is one that meets most of the STAPLE+E Characteristics (five or more)

**Figure 6-6: STAPLE+E Category Definitions**

Category	Description	Evaluation Criteria
Social	Public support of the overall implementation strategy and specific mitigation action, including addressing vulnerable populations.	<ul style="list-style-type: none"> <li>● Action is compatible with present and future community values.</li> <li>● Positive impact* on cultural values or resources</li> <li>● Positive impact* on a specific segment of the population, including vulnerable populations.</li> <li>● Positive impact* on established neighborhoods, voting districts, or relocation impact</li> </ul>

Category	Description	Evaluation Criteria
Technical	Action presents a reasonable solution, given the technological requirements of the proposed project.	<ul style="list-style-type: none"> <li>• Action is technically feasible.</li> <li>• The solution is long-term.</li> <li>• Action results in a reduction of natural hazard impacts (either primary or secondary impacts).</li> </ul>
Administrative	Availability of anticipated administrative capabilities including staffing, funding, and maintenance requirements of the action.	<ul style="list-style-type: none"> <li>• Current staffing and/or technical experts are available (or can be readily obtained) to plan for and implement the action.</li> <li>• Oversight staffing is available for meeting the requirements of funding mechanisms such as grants or loans.</li> </ul>
Political	Current community and state political support related to the environment, economic development, safety, emergency management, and similar.	<ul style="list-style-type: none"> <li>• Political support for implementation and monitoring.</li> <li>• Local champion or proponent of the action to ensure the action is successful.</li> <li>• Support by decision makers to provide a lead department, agency, or representative to oversee the action to completion.</li> </ul>
Legal	Legal authority at the local, state, and/or federal level to implement the action.	<ul style="list-style-type: none"> <li>• Primary assigned entity has the legal authority to implement or partner to accomplish the action.</li> <li>• The action meets (or can readily meet) all local, state, and federal requirements.</li> <li>• Anticipated legal challenges or liability should be considered when considering if the action has 'legal' support.</li> </ul>
Economic	Cost effectiveness of the action and availability of funding for the action.	<ul style="list-style-type: none"> <li>• Costs seem reasonable considering likely benefits (consider monetary and non-monetary benefits).</li> <li>• The financial burden placed on the tax base or local economy to implement this action is reasonable.</li> <li>• Positive contribution* to other community economic goals, such as capital improvements or economic development.</li> <li>• Funding can be readily obtained or is possible through competitive opportunities from outside sources of funding.</li> <li>• It is anticipated that the community has the ability to meet the match requirements for outside funding sources.</li> </ul>

Category	Description	Evaluation Criteria
Environmental	Impact to the natural environment and cultural resources plus consistent with concepts of resiliency.	<ul style="list-style-type: none"> <li>• Maintains or has a positive impact* on natural and cultural resources.</li> <li>• Maintains or has a positive contribution* the community's ability to return to normal function after a hazard event.</li> <li>• Consistent with community's environmental goals.</li> <li>• Consistent with applicable environmental laws.</li> </ul>

\*Positive impact or contribution means a reduction in risk from natural hazards and/or improvement to quality of life.

### 6.3.4 2023 Mitigation Action Charts

Figures 6-5-1 through 6-5-6 summarize the updated mitigation actions and implementation strategy for each participating jurisdiction. Actions that are considered related to emergency response are shown in *italic*. Lincoln County and the Village of Corona each have one response action included below. The Town of Carrizozo includes wildfire response in two multi-hazard actions.

Actions listed below will be implemented based on available staffing, funding, and leadership support. The Commissions, Councils, and Boards of Trustees need to support and approve implementation of actions. It is possible that low-cost actions that may be included in a community's budget may be able to be implemented without specific action taken by the governing body. However, Planning Team points of contact would inform and discuss the actions with the appropriate governing body so that situational awareness is maintained. Based on current capabilities (as described in Figures 6-1-1-1 through 6-1-6-3), it is anticipated that only a limited number of actions can be accomplished in the coming 5-year planning cycle.

Figure 6-7-1: Mitigation Actions for Unincorporated Lincoln County

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
LCO1	Low	Implement hazardous fuels reduction around critical facilities. Examples include Nogal Fire Station, Lincoln Fire Station, Capitan Communication Tower.	Wildfire	Medium	Long-term	Lincoln County Road Department Manager	County Budget, State Forestry grants, BRIC, HMGP, CWDG	No action, Revise
LCO2	Low	Reduce hazardous fuel loads in WUI to reduce impacts to residential structures. The highest priority location is in the West Gavilan are (Alto community)	Wildfire	Medium	Long-term	Lincoln County OES Manager	County Budget, State Forestry, BRIC, HMGP, CWDG	No action, Revise
LCO3	High	Modify low water crossing designs to enhance capacity to pass peak discharge and reduce lateral erosion. A PER would be prepared to identify the design components that would be installed at each existing low water crossing. This may include concrete erosion control along the channel bottom, stabilization on the slopes, and possibly above grade crossings. Example locations are Skeen Road, Salazar Road, Snell Road Bancroft Road, Fair Grounds Crossing, State Highway 368. Year 1 and 2 would be PER, year 3 would be securing funding for highest priority locations, years 4 and 5 would be construction.	Flood	High	Ongoing	Lincoln County OES Manager, NMDOT Capitan District	County Budget, NMDOT, BRIC, HMGP	No action, Revise

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
LCO4	High	Improve drainage on roads that are impassible or difficult to access during flood events so that stormwater is conveyed from the road surface and stored in ponds or ditches. Example locations are Bogle Road, Patos Road, Jicarilla Road, Bonito Lake Road, Nogal Road, Blackwater Draw Road, and Devils Canyon. Years 1 and 2 would be PER, year 3 would be securing funding for highest priority locations, years 4 and 5 would be construction.	Flood	High	Ongoing	Lincoln County Road Department, manager	County Budget, NMDOT, BRIC, HMGP	No action, Revise
LCO5	Low	Clear the debris out of the Rio Bonito channel between the Bonito Lake Dam east to Highway 48 in order to allow water to flow downstream without obstruction during flood and thunderstorms. To make sure that the debris does not stack up at the Highway 48 bridge and wash it out. This is a required ongoing maintenance activity.	Flood, Thunderstorms	Medium	Long-term	Lincoln County OES Manager, City of Alamogordo	County budget, NMDOT, NRCS EWP, City of Alamogordo	No action, Keep
LCO6	Medium	Install improved grounding systems for communication antennas against lightning. The improvements would ensure there would be no damage to the antenna, radio, and repeaters. An example of the highest priority location is the Emergency Communications Antennae at the County Emergency Operations Center.	Thunderstorms	Medium	Long-term	Lincoln County OES, Manager, County Commission	County Budget, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
LCO7	Low	Install permanent snow fence along Highway 246 to mitigate snowdrifts on the road during severe winter storms. The fences will keep snow drifts from accumulating and allow vehicles to access the roadway.	Winter Storms	Low	Medium-term	Lincoln County Road Department, Manager and NMDOT Capitan District	County Budget, NM DOT, BRIC, HMGP	No action, Revise
LCO8	Low	Add additional insulation to critical facilities that can function as warming shelters during winter storms. Examples include the Bonita Fire Department and Sunterra Station.	Winter Storms	Low	Long-term	Lincoln County OES Manager	County and State Fire Marshall's Office grants, BRIC, HMGP	No action, Revise
LCO9	Medium	Drill wells deeper to create greater water capacity and enlarge storage system. Year 1 determine priority locations. Year 2 obtain funding. Year 3 and 4 design and construct upgrades.	Drought	Medium	Ongoing	Domestic Water Supply Systems in coordination with County Planning Department	State Budget, Water Trust Board, BRIC, HMGP	New
LCO10	Low	Adopt a water conservation plan for the water systems within the county and for citizens with private wells. Consumers and citizens can mitigate the effects of drought by conserving water. Although the County doesn't own the water systems, the County assists with repairs and maintenance to domestic water supply systems.	Drought	Low	Long-term	Lincoln County OES Manager, Planning Director, County Commission	County Budget, Water Trust Board, BRIC, HMGP	No action, Revise
LCO11	Medium	Create and implement a county ordinance that requires people within the dam inundation area below the Bonita dam to tie down materials and equipment that are not permanently affixed to the ground and remove debris within the inundation area.	Dam Failure	Low	Long-term	County Floodplain Administrator	County Budget, BRIC, Flood Mitigation Assistance	No action, Revise

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
LCO12	High	Conduct public outreach to raise awareness of threats from natural hazards. This action may include a series of public meetings with local and visiting subject matter experts. To date outreach has included staff interaction with the public at community events. The enhanced public outreach activities would include Public Service Announcements and flyers. Messaging would include hazard-specific information and reference material. Specific topics identified include creating programs for reducing burnable debris on private properties; flood safety and mitigation measures for private property owners; lightning and hail mitigation measures; drought impacts on water availability, fire danger, vegetation, and wildlife; moving non-affixed materials out of dam inundation zone.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Drought, Dam Failure	Medium	Ongoing	Lincoln County OES Manager	County Budget, State Forestry, NMDOT, BRIC, HMGP	In progress, Revise
LCO13	Low	Stabilize communication towers with guy wires to protect from natural hazard impacts. Ensure compliance with the Communication Plan.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Dam Failure	Medium	Medium-term	Lincoln County OES, Manager, County Commission	County Budget, BRIC, HMGP	New
LCO14	Low	<i>Response Action: Develop an all Lincoln County multi-jurisdictional communications plan. This plan will be led by Lincoln County OES Manager with the audience being the first responders. Note: LOC12 is the all-hazard public outreach action.</i>	<i>Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Dam Failure</i>	<i>Medium</i>	<i>Long-term</i>	<i>Lincoln County OES Manager</i>	<i>County and State Budgets, grants, and FEMA</i>	<i>No action, Keep</i>

Figure 6-7-2: Mitigation Actions for Village of Ruidoso

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RUV1	High	Implement hazardous fuels reduction for areas bordering the jurisdictional boundary. A high priority example is the Wood Lane area. The Village will coordinate with USFS as some acreage is in their ownership. In years 1 and 2 secure funding. In years 3 through 5 implement treatments.	Wildfire	Medium	Ongoing	Village of Ruidoso Fire Chief	Village Budget, State Forestry, USFS, CWDG, BRIC, HMGP, HMGP-PF	No Action, Revise
RUV2	High	Move powerlines below ground to reduce wildfire ignitions and mitigate against power outages in Flood, Thunderstorm, Winter Storms, and High Wind. The highest priority location is along Main Rd. in the Upper Canyon area. In years 3 and 4 secure funding, prepare design, and begin permitting. With environmental clearance likely taking 1 year or more, implementation is anticipated at the beginning of the next planning cycle.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind	High	Medium-term	Power companies in coordination with Village of Ruidoso Emergency Services Manager	Village Budget, BRIC, HMGP, HMGP-PF, PNM	No Action, Revise
RUV3	High	Implement defensible space and hazardous fuels reduction to create a buffer zone around the Grindstone Lake area bordering Mescalero Reservation. USFS has treated some acreage and the remainder is anticipated to be completed during the planning cycle.	Wildfire	Medium	Ongoing	USFA with partner support from Village of Ruidoso Fire Chief	Village Budget, State Forestry, BRIC, HMGP, HMGP-PF, CWDG	In progress, Revise

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RUV4	Medium	Implement defensible space and hazardous fuels reduction around critical facilities. Example priority locations are the PNM power substation in Gavilan Canyon; water tanks; sewer treatment plants; Fire Stations 1, 2, & 3; Ruidoso Fire Sub Stations at Close Rd and Cree Meadows Dr.; Police Station; and Village Hall. Progress to date includes completed thinning behind Fire Stations 1 and 2. The McBride Fire burned the area near the PNM substation so no additional thinning is required in that location during the planning cycle.	Wildfire	Medium	Ongoing	Village of Ruidoso Forestry Director	Village Budget, State Forestry, BRIC, HMGP, HMGP-PF, CWDG	In progress, Revise
RUV5	High	Increase the capacity and design of culverts and drainage to reduce flood impacts and post-fire burn scar debris flow impacts. The highest priority locations are near the Rio Ruidoso in Mid-town, the eastern half of Sudderth Dr. (continuing to US70), and Village owned property within the McBride Fire burn scar. In years 1 and 2 secure funding. In years 3 through 5 design, permit, and implement.	Flood	High	Ongoing	Village of Ruidoso Public Works Department Director	Village Budget, BRIC, HMGP, HMGP-PF	No Action, Revise

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RUV6	Medium	Create and Implement a Village ordinance that requires people within dam inundation areas and the flood prone areas to tie down materials and equipment that are not permanently affixed to the ground and remove debris within the inundation area. Removing debris and personal property will reduce the amount of material that will plug bridges and culverts or could cause damage to downstream property. In years 3 and 4 it is anticipated that the ordinance will be drafted, the public will comment, and Council will adopt.	Flood, Dam Failure	Medium	Medium-term	Village of Ruidoso Floodplain Manager	Village Budget for staff time, BRIC, HMGP	No action, Revise
RUV7	High	Install improved grounding systems for communication antennas against lightning. The improvements would ensure there would be no damage to the antenna, radio, and repeaters.	Thunderstorms	Medium	Short-term	Village of Ruidoso Emergency Services Manager	Village Budget, BRIC, HMGP	New
RUV8	High	Strengthen the water conservation ordinance to have more realistic triggers. This will result in drought mitigation through water conservation.	Drought	Medium	Short-term	Village of Ruidoso Water Resource Department Director	Village Budgets	New

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RUV9	High	Conduct public outreach to raise awareness of threats from natural hazards. To date, outreach has included staff interaction with the public at community events regarding defensible space, flood, and high wind. Wildfire and flood brochures and flyers are also handed out. In addition, wildfire and flood mitigation and preparedness has been included in social media postings and in the Village monthly newsletter that gets mailed to all utility subscribers. The enhanced public outreach activities would include additional hazards like Thunderstorm, Winter Storms, Drought, and Dam Failure. Additional brochures, flyers, Public Service Announcements, and public meetings with local or visiting SMEs are activities being considered. Specific topics identified include how to mitigate property and structures from the impacts of Thunderstorms, Winter Storms, High Wind; drought impacts on water availability, fire danger, vegetation, and wildlife; moving non-affixed materials out of flood and dam inundation zones; the Village's early warning system and messaging during severe weather events; recommendations for potential mitigation services and funding sources for implementation on private property	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Drought, Dam Failure	High	On-going	Village of Ruidoso Emergency Services Manager	Village Budgets, State Fire Marshall, BRIC, HMGP, HMGP-PF	In progress, Revise

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
RUV10	High	Upgrade existing generators in government buildings to assure essential functions can continue during power outages. Upgrades must be made to the capacity and connections of existing generators. This will reduce the community's impacts from flood, thunderstorms, high winds, and winter storms. Examples of high priority locations are Village Hall, Convention Center, and Community Center. In years 1 and 2 the Preliminary Engineers Report will be prepared, and funding will be secured for the high priority locations. Implementation is anticipated for years 3 and 4.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Dam Failure	High	On-going	Village Community Development Department Director, Water Resource Department Director, Emergency Services Manager	City Budget, BRIC, HMGP	New
RUV11	Medium	Install a system of data recording multi-hazard weather stations with automatic notification capacity. The weather stations would monitor precipitation, lightning, and high wind. In years 1 and 2 secure the funding and create the specifications. Installation is anticipated in year 3.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind	Medium	On-going	Village Emergency Services Manager	City Budget, BRIC, HMGP	New

Figure 6-7-3: Mitigation Actions for City of Ruidoso Downs

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Source(s)	2018 Status
RDC1	High	Create a thinned buffer zone with hazardous fuels reduction bordering the city limits. Examples include the Turkey Canyon area and the Wood Lane area.	Wildfire	Medium	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, BRIC, HMGP, HMGP-PF, CWDG	No action, Keep
RDC2	High	Upgrade current water delivery system pipe material and diameter size to increase efficiency of water delivery. Increase in water supply will help to reduce impacts of wildfire and drought.	Wildfire, Drought	Medium	Short-term	City of Ruidoso Downs Public Works Director	CDBG, city budget, State grants and loans, USDA, BRIC, HMGP	New
RDC3	High	Increase the capacity of culverts and drainage ditches in the Ruidoso Gardens subdivision to pass high flows of the Rio Ruidoso. Phase One is to conduct a PER to determine project design criteria. Phase Two would be preparation of construction drawings, permitting, and implementation.	Flood	Medium	Long-term	City of Ruidoso Downs Public Works Director	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC4	Low	Improve drainage on roads and highways in flood prone areas to reduce impacts. Phase One is to conduct a PER to determine priority project locations and design criteria. Phase Two would be preparation of construction drawings, permitting, and implementation for the highest priority locations.	Flood	Medium	Long-term	City of Ruidoso Downs Public Works Director	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC5	Medium	Harden the Emergency Services Communication antenna against lightning.	Thunderstorms	High	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Source(s)	2018 Status
RDC6	High	Harden the Emergency Services Communication antenna against severe winds.	High Wind	High	Medium-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC7	Medium	Conduct public outreach to raise awareness of threats from drought and how citizens can mitigate the impact of drought. This action can include a series of public meetings with local and visiting subject matter experts to educate the public on drought and its impacts on water availability, fire danger, flora and fauna impacts, wildlife impacts and how citizens can cope with these impacts.	Drought	Low	Ongoing	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC8	High	Improve early warning capability by installing two new hazard sirens. This will give the community and its residents the opportunity to take protective measures to move personal property, vehicles, and people out of harm's way.	Flood, Thunderstorms, Dam Failure	Low	Short-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep
RDC9	High	Upgrade existing generators in government buildings to ensure essential functions can continue during power outages. Upgrades must be made to the capacity and connections of existing generators. This will reduce the community's impacts from flood, thunderstorms, high winds, and winter storms.	Flood, Thunderstorms, Winter Storms, High Wind	Medium	Medium-term	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Source(s)	2018 Status
RDC10	Medium	Conduct public outreach and awareness on the early warning system and the effects of wildfire, flood, thunderstorms, winter storms, high wind, and dam failures. Inform citizens on how to mitigate their homes and property against thunderstorms and dam failures.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Dam Failure	Low	Ongoing	City of Ruidoso Downs Fire Chief	City and State Budgets, grants USFS, BRIC, HMGP	No action, Keep

Figure 6-7-4: Mitigation Actions for Town of Carrizozo

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CRZ1	Medium	Drill additional water wells to improve auxiliary water supplies during drought periods. Increase in water supply will help to reduce impacts of wildfire and drought.	Wildfire, Drought	Medium	Long-term	Town of Carrizozo Public Works Department	Town budget, State grants and loans, USDA, BRIC, HMGP	Keep, Revised
CRZ2	Medium	Upgrade current water delivery system pipe material and diameter size to increase efficiency of water delivery. Increase in water supply will help to reduce impacts of wildfire and drought	Wildfire, Drought	Medium	Long-term	Town of Carrizozo Public Works Department	Town budget, State grants and loans, USDA, BRIC, HMGP	Keep, Revised
CRZ3	High	Implement street and drainage projects to mitigate flooding on local roads and state highways including those listed in 2022-2026 ICIP Plan. Implement projects to reduce standing water on roadways. Purchase new road improvement equipment using eligible funding to support this action.	Flood	Medium	Long-term	Town of Carrizozo Public Works Department	Town budget, State grants and loans, USDA, BRIC, HMGP	New

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CRZ4	Medium	Re-channel ditches to reduce flood impacts to private and town-owned property. This will include obtaining easements with property owners, preparing construction drawings, implementing the drainage modifications, and coordinating with the assessor's office.	Flood	High	Long-term	Lincoln County Assessor's Office, Town of Carrizozo Town Hall, Public Works Department	Town budget, Lincoln County, State grants and loans, USDA, BRIC, FEMA	New
CRZ5	High	Adopt an ordinance that requires securing straps and specific placement requirements for antennas, flag poles, and lights. Enforcement of the ordinance will reduce impacts from natural hazards.	Flood, Thunderstorms, Winter Storms, High Wind	High	Short-term	Town of Carrizozo Board of Trustees	Town budget, BRIC, HMGP	No action, Keep
CRZ6	High	Install sirens on critical infrastructure buildings/structures. Examples include enhancing the siren at the library/police station. Test on a set schedule. Improved early warning will give the community and its residents the opportunity to take protective measures to move personal property, vehicles, and people out of harm's way.	Wildfire, Flood, Thunderstorms, Winter Storm, High Wind	Medium	Long-term	Town of Carrizozo Police Department, Public Works Department, Carrizozo Volunteer Fire Department	Town budget, Lincoln County, State grants and loans, USDA, BRIC, HMGP	No action, Revised
CRZ7	Medium	Conduct public outreach on benefits of retrofitting buildings and property to withstand natural hazards. Educate citizens on best practices for reducing injury and damage to property during natural disasters. Conduct town meetings on siren warning systems meaning and use. Place signs on shelter buildings.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind	High	Short-term	Town of Carrizozo Town Hall, local not-for-profit organizations	Town budget, State grants, USDA, BRIC, HMGP	New

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CRZ8	Low	Retro-fit existing government buildings to serve as a shelter for residents and visitors to reduce injury and damage during natural disasters.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind,	High	Long-term	Town of Carrizozo Public Works Department, local not-for-profits	Town budget, Lincoln County, State grants and loans, USDA, BRIC, HMGP	No action, Keep
CRZ9	Low	Install backup permanently installed generators to power water/wastewater/solid waste/ evacuation shelters/ government services infrastructure to be used during outages due to natural disasters for the purpose of reducing injury and damages to infrastructure. Re-wire buildings for generator use.	Wildfire, Flood, Thunderstorms, Winter Storms, High Wind, Drought,	Medium	Short-term	Town of Carrizozo Public Works Department	Town budget, State grants and loans, USDA, BRIC, HMGP	No Action, Keep

**Figure 6-7-5: Mitigation Actions for Village of Capitan**

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CAP1	High	Implement hazardous fuel reduction on National Forest on the West side of town (approximately 1,000 acres of Piñon/Juniper landscape on rolling hills and some steep canyons). The USFS District Ranger and the Village of Capitan have agreed to coordinate on this activity.	Wildfire	Medium	Long-term	Smokey Bear Ranger District/District Ranger/ in cooperation with the Village of Capitan Public	Village Budget, State Forestry, BRIC, HMGP, HMGP-PF, CWDG	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CAP2	Medium	Adopt and implement an ordinance for property owners to clear debris and maintain a defensible space around their residences. The ordinance will be part of a defensible space plan that will be developed for the community. Implementation of this plan will reduce the injury and impacts of wildfire.	Wildfire	Low	Short-term	Village of Capitan Council, Mayor Dennis Haskel	Village Budget, BRIC, HMGP, HMGP-PF	No action, Keep
CAP3	High	Install signage at flood-prone streets to reduce ingress/egress to government buildings during storm events.	Flood, Thunderstorms	High	Short-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	New
CAP4	High	Install signage at all low water crossings on both sides of drainage to discourage crossing during storm events and therefore reduce injury/death.	Flood, Thunderstorms	High	Short-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	New
CAP5	High	Install depth gauges in arroyos at low-water crossings to make drivers aware of the risk. This will reduce injury and damage to property due to flooding.	Flood, Thunderstorms	High	Short-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	New
CAP6	Low	Retrofit the roof/windows or rebuild the Capitan Elementary Schools with more resilient materials to meet building code standards. The current elementary schools flood and leak during thunderstorms.	Thunderstorms	High	Long-term	Capitan Schools, Superintendent	Village Budget, State grants and loans, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CAP7	Low	Conduct a PER for flash flooding for the Village including the subdivision. The Village needs engineering study to help develop a plan to mitigate flash flooding. Flash flooding occurs during thunderstorm rain events. This report will alleviate data deficiencies for missing information. Once PER is complete a mitigation strategy will be added to this plan.	Thunderstorms	Low	Long-term	Village of Capitan Public Works, Public works director	NM Finance Authority Planning Grant, State, BRIC, HMGP	No action, Keep
CAP8	Medium	Conduct Public outreach & awareness to the public regarding severe winter storms. Create brochures to include information on how to mitigate against a severe winter storm, what to expect and how to be prepared with enough water, food, batteries, flashlights, and a possible backup generator.	Winter Storms	Low	Medium-term	Village of Capitan Public Works, Director	Village Budget, State grants and loans, BRIC, HMGP	No action, Keep
CAP9	Medium	Stabilize communication towers with guy lines to protect from natural hazard impacts. Coordinate with County Emergency.	Thunderstorm, Winter Storms, High Wind	High	Long-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	New
CAP10	Low	Install additional insulation in the ceiling of the Village Hall to mitigate a Severe Winter Storm and ensure that government services continue.	Winter Storms	Low	Long-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	No action, Keep
CAP11	Medium	Conduct Public outreach & awareness regarding drought. Create brochures to include information on water saving techniques and devices. This action will help residents mitigate drought and conserve water.	Drought	Low	Medium-term	Village of Capitan Public Works, Director	Village Budget, State grants and loans, BRIC, HMGP	No action, Keep

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
CAP12	Low	Add or replace landscaping in all public areas with xeriscape for the purpose of conserving water supplies during drought.	Drought	Low	Long-term	Village of Capitan Public Works, Director	Village Budget, State grants and loans, BRIC, HMGP	No action, Keep
CAP13	High	Conduct public outreach and awareness on all hazards. Create hard copy brochures to be placed at government buildings. Post this same information on the Village website.	Wildfire, Flood, Thunderstorms, High Wind	High	Medium-term	Village of Capitan, Mayor	Village Budget, State grants and loans, BRIC, HMGP	New

**Figure 6-7-6: Mitigation Actions for Village of Corona**

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
COR1	High	Implement hazard fuels reduction on the south and west corridors (approximately 80 acres). Defensible space prescription as per NM State Forestry prescription.	Wildfire	Medium	Long-term	Mayor of the Village of Corona	Village budget, State grants, Soil and Water Conservation District grants, (USDA), BRIC, HMGP, CWDG	No action, Revise
COR2	Medium	<i>Response Action: Install fire hydrants to extend fire coverage capabilities and maintain all fire hydrants in the system to ensure good fire protection</i>	Wildfire	High	Long-term	Village of Corona, Mayor and Fire Chief	Village Budget	New
COR3	Low	Conduct a public awareness program to assist residents in protecting electronics from lightning strikes. Post warning signage at the park and pond.	Thunderstorms	Medium	Short-term	Village of Corona, Mayor	Village Budget, BRIC, HMGP	New

Action Identifier	Priority Ranking	Action Description	Hazard(s) Mitigated	Cost Effectiveness	Duration	Responsible Entity(ies)	Funding Sources	2018 Status
COR4	Medium	Conduct a public awareness outreach program by creating brochures on how to be prepared for a winter storm and how to mitigate their home and household against severe winter storms.	Winter Storms	Medium	Short-term	Village of Corona Mayor	Village budget, State grants, BRIC, HMGP	No action, Revise
COR5	Medium	Install snow fence around the perimeter of Red Cloud water wells #7 & #8 to keep access open, during a severe winter storm in order to allow crews to access the wells for maintenance, repairs, and temporary backup power to reduce potential damage to critical infrastructure.	Winter Storms	High	Long-term	Village of Corona Mayor	Village budget, State grants, BRIC, HMGP	No action, Revise
COR6	High	Upgrade government garage/shop doors to meet high wind rating requirements.	High Wind	High	Long-term	Village of Corona Mayor and Fire Chief	Village budget, State grants, BRIC, HMGP	New
COR7	High	Improve roof coverings, anchor roof-mounted heating, ventilation, and air conditioning units on public buildings and critical facilities to reduce the impact of high winds.	High Wind	High	Long-term	Village of Corona, Mayor	Village Budget, BRIC, HMGP	New
COR8	Low	Conduct a public outreach program to educate residents on improving roof coverings and anchoring roof-mounted infrastructure.	High Wind	Medium	Short-term	Village of Corona, Mayor	Village Budget, BRIC, HMGP	New
COR9	High	Add xeriscape landscaping for reducing water use on landscaping on land owned by the Village. Although some installation has been implemented, additional locations are needed.	Drought	High	Long-term	Village of Corona Mayor	Village Budget, BRIC, HMGP	In progress, Revise

<b>Action Identifier</b>	<b>Priority Ranking</b>	<b>Action Description</b>	<b>Hazard(s) Mitigated</b>	<b>Cost Effectiveness</b>	<b>Duration</b>	<b>Responsible Entity(ies)</b>	<b>Funding Sources</b>	<b>2018 Status</b>
COR10	Medium	Conduct a public outreach program by up-dating and distributing brochures informing residents how they can save water and mitigate drought. The brochures will include water saving techniques and devices. To date, outreach has consisted of presentations at community events.	Drought	Medium	Long-term	Village of Corona Mayor	Village budget, State grants, BRIC, HMGP	In progress, Revise
COR11	High	Install and maintain surge protection and power backups on critical electronic equipment to avoid electric outages due to natural hazards. This will reduce potential property damage and mitigate injury.	Wildfire, Thunderstorms, Winter Storms, High Wind	High	Long-term	Village of Corona, Mayor	Village Budget, BRIC, HMGP	New

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## SECTION 7: PLAN MAINTENANCE PROCEDURES

- §201.6(c)(4):** [The plan must include the following: a] *plan maintenance process* that includes:
- i. A section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.
  - ii. A process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate.
  - iii. Discussion on how the community will continue public participation in the plan maintenance process.

The HMP must describe the processes or mechanisms for maintaining and updating the hazard mitigation plan within the 5-year planning cycle. Elements of this plan maintenance section include:

- Monitoring and Evaluating the Plan
- Updating the Plan
- Continued Public Participation
- 2023 HMP integration into other planning mechanisms

The following subsections provide a description of the past plan maintenance procedures and activities and documents the proposed procedures and schedule for the next planning cycle.

### 7.1 Monitoring and Evaluation

#### 7.1.1 2018 to 2023 Plan Cycle

In regard to HMP maintenance and evaluation over the 5-year approval cycle, the 2018 HMP Planning Team committed to meet annually and to conduct an annual evaluation using two different forms. One form was focused on over-all evaluation of effectiveness and one form was focused on action progress. The 2023 Planning Team confirmed that these steps did not happen due to many large fires, focus on response and public safety, staff turnover, plus personnel changes.

#### 7.1.2 Monitoring and Evaluation for 5-year approval cycle

The 2023 Planning Team agreed to the following changes for the up-coming 5-year approval cycle. These changes were made based on more realistic expectations for implementation. The monitoring and evaluation will occur in year 2 of the plan approval cycle and will be directed by the Lincoln County and Village of Ruidoso Emergency Managers as described in the Plan Update subsection (Section 7.2).

- A revised evaluation form will be created by the 2023 HMP planning consultant for the Planning Team to use. The 2023 Evaluation and Action Status Form will combine the most pertinent information from the two forms referenced in the 2018 HMP (Plan Update Evaluation Worksheet and Mitigation Access Progress Report Worksheet). The Evaluation and Action Status Form is found in Appendix H. Topics included are the review of each Section of the HMP, with emphasis on the Mitigation Strategy components.
- In year 2, the Planning Team contact from each community will facilitate and document an evaluation of the plan effectiveness, including progress on mitigation actions, using the Evaluation and Action Status Form. The Form will be emailed to all participants prior to a Year-2 Planning Team Meeting. The expectation is that the Form will be completed and brought to the Planning Team meeting for group discussion.

- A summary memo will be prepared by the Lincoln County and Village of Ruidoso Emergency Managers, to include a description of feedback, updates, or changes from each community. Any Planning Team agreed-upon changes to the HMP monitoring and evaluation approach will also be included in the summary memo.
- A formal presentation of the relevant material will be presented to each participating jurisdiction's Commission, Council, or Board of Trustees only if a major update to the HMP is proposed prior to the next 5-year update.

## **7.2 Plan Update**

### **7.2.1 2018 to 2022 Plan Cycle**

The 2018 HMP was to adhere to the following update schedule.

One year prior to the plan expiration date, the Planning Team was to re-convene to review and assess the Plan Update Evaluation Worksheets and Mitigation Access Progress Report Worksheets that were to have been prepared annually. The Planning Team would then update the appropriate portions of the HMP and produce the HMP Update document. The HMP Update would then be submitted to New Mexico DHSEM and FEMA for review, comment, and approval. After FEMA would issue the Approval Pending Adoption letter, all participating jurisdictions would adopt the HMP Update.

In regard to funding the 2023 HMP Update, the Village of Ruidoso submitted a sub-grant application to New Mexico DHSEM in the fall of 2020, assuming there was sufficient time to secure a contractor, update the plan, and get FEMA approval before the July 24, 2023 expiration of the 2018 HMP. The application was under review throughout 2021 and into 2022. It was approved for funding under the Building Resilient Infrastructure and Communities grant and the sub-grant was awarded in June 2022. The Village of Ruidoso released the Request for Proposals in November 2022 and the resulting contract with SWCA Environmental Consultants was executed in January 2023. The Planning Process (Section 3) describes the steps completed to update the 2018 HMP.

### **7.2.2 Update for Five-year Approval Cycle**

In year 2 of the approval cycle, the Planning Team will reconvene for evaluation, maintenance, and up-date coordination. Ruidoso and Lincoln County Emergency Managers will take the lead in organizing the meeting. The Evaluation and Action Status Form will be utilized as described above in the Monitoring and Evaluation subsection (Section 7.1.2).

In year 3 of the approval cycle, the Ruidoso and Lincoln County Emergency Managers will coordinate on submittal of the application for funding the next HMP update. All participating jurisdictions will be requested to provide a participation and matching funds commitment letter to be included in the funding application.

At the beginning of year 4 of the approval cycle, Ruidoso and Lincoln County Emergency Managers will coordinate on starting the competitive procurement process.

During year 4 of the approval cycle, 18 months (or more) prior to the expiration of the 2023 HMP, the 12-month update planning process will begin. Improvements to consider include:

- Based on budget, timeline, and priorities, modify research approach and include additional reference sources. One example would be to acquire and process Smokey Bear RAWS data.
- Changes to the mapping approach and graphic presentation.

- Building hazard maps and geo-spatial analysis using one community's in-house GIS platform so the data can be accessed after the update process is completed.

During year 5 of the approval cycle, no less than 6-months prior to the expiration of the 2023 HMP, the 6-month State and FEMA review and approval steps will begin. All participating jurisdictions will adopt the updated HMP and FEMA will provide the Approval Letter prior to the expiration of the 2023 HMP.

### **7.3 Continued Public Involvement**

#### **7.3.1 2018 to 2022 Plan Cycle**

In regard to public engagement over the 5-year approval cycle, the 2018 HMP Planning Team committed that each community was to post the completed HMP on their website with a link to the Ruidoso HMP update webpage. In addition, hard copies of the HMP were to be made available at "all jurisdictional public libraries, jurisdictional city halls, and County courthouse". Also, the public was invited to give feedback at monthly council or board meetings. The 2023 Planning Team confirmed that Ruidoso hosted an HMP-specific section of their website which provided the HMP, related information, and contacts. Corona provided hard copy of the 2018 HMP at the library and Village Hall.

#### **7.3.2 Public Involvement for 5-year Approval Cycle**

In regard to ongoing public engagement over the coming 5-year approval cycle, the 2023 HMP Planning Team committed to the following.

- The 2023 HMP will be posted to the Ruidoso website on a dedicated HMP section. The HMP section will be maintained by the Village of Ruidoso Emergency Manager and Public Information Officer. Updates will include the results of the contact information for comments or questions, accomplishments of milestones, and similar. Examples of milestones include:
  - FEMA HMP approval
  - availability of approved HMP on community websites and hard copy at administrative buildings
  - results of the year 2 evaluation
  - receipt of funding for the 2028 HMP up-date
  - kick-off for the 2028 up-date
- Each participating jurisdiction will provide a link to the Ruidoso HMP webpage section.
- Hard copies of the HMP will be available at every participating jurisdiction's administrative office.
- HMP feedback at any of the monthly commission, council, or board meetings will be reported to the Planning Team primary point of contact for response and inclusion in the monitoring and evaluation process.
- Participating jurisdictions that have social media accounts will post when HMP milestones are accomplished.
- If a major HMP update is proposed based on evaluation feedback and prior to the start of the 2028 HMP planning cycle, a formal presentation of the relevant material will be presented to each participating jurisdiction's Commission, Council, or Board of Trustees only if a major update to the HMP is proposed prior to the next 5-year update.

- If a feedback survey is used for the 2028 HMP Update, the Planning Team could consider including optional contact information for the respondents. The contact information could be used to follow-up with responses or questions.

#### **7.4 Integration into Other Planning Mechanisms for the Next 5-Year Cycle**

Integration and/or incorporation of the HMP into other planning mechanisms, either by content or reference, enhances a community's ability to perform hazard mitigation by expanding the scope of the HMP's influence. It also helps communities to capitalize on all available mechanisms at their disposal to reduce the impact of natural hazards.

Based on lessons learned from integrating the 2018 HMP during the last cycle, the Planning Team agreed to incorporate the 2023 HMP Update over the next 5-year planning cycle in several ways. Description of integration opportunities are listed below.

- Use or refer to HMP hazard profiles, vulnerability assessment, capabilities, goals, objectives, actions, local adoption, and/or FEMA approval when:
  - Revisions to emergency management, wildfire protection, land use, comprehensive, strategic, and other planning documents.
  - Revising codes and ordinances, planning documents, and other long-term strategic plans; and
  - Making funding requests for implementation.
- Include specific actions in capital improvement plans and programming.
- Use the HMP as a resource during governing body meetings, LEPC meetings, and similar.
- Refer to the HMP as a multi-jurisdictional cooperative effort with implementation benefits that will contribute to the region becoming more resilient to natural hazards.

Specific opportunities for integrating and/or referencing the HMP into other planning mechanisms over the next five years are summarized by participating jurisdiction in Figures 7-1-1 through 7-1-6. The participating jurisdiction's Planning Team primary point of contact will work with the administration and governing body to ensure that the appropriate SME is informed of the relevant sections of the HMP that could be integrated into each plan revision. Based on the past planning cycles, the Planning Team anticipates integration of the risk assessments, capabilities, and actions will be the most prevalent use of the 2023 HMP Update.

Although each jurisdiction has particular processes for incorporating and adopting planning documents, most of the procedures are similar for the six participating jurisdictions. New or updated plans are usually developed in draft format and presented to the respective governing body in a public forum for initial review and comment. Upon resolution of all comments the plan is presented again to the governing body for final approval and adoption.

**Figure 7-1-1: Lincoln County 2023 HMP Integration Strategy**

Planning Mechanism	Description of Planning Mechanism Opportunity
County Community Wildfire Protection Plan (CWPP)	The 2023 Hazard Mitigation Plan (HMP) will be utilized to inform the 5-year update of the 2019 County CWPP (anticipated for update in 2024). In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The County Emergency Management Director will serve as the Planning Team liaison from the County.
Lincoln County Emergency Operations Plan (EOP)	The 2014 EOP is reviewed and updated on an as-needed basis, although the last full update was in 2014. The next EOP update will include integration of relevant concepts from the HMP such as social vulnerability, risk assessment, and goals from the HMP. The County Emergency Management Director will serve as the Planning Team liaison from the County.
Infrastructure Capital Improvement Plan (ICIP)	The 2023 HMP will be utilized to inform and guide the submittal and funding of capital improvement projects on an annual basis. The Community Development and Water Resources Departments serve as the leads. Directors from these two Departments will serve as the primary subject matter experts (SME) for integrating the HMP.
County Comprehensive Plan	The 2007 Comprehensive Plan will have the next update in 2027. Therefore, the 2023 HMP will be integrated into the appropriate sections. Likely the risk assessment, capabilities, and mitigation strategy concepts will be incorporated. The County Emergency Management Director will serve as the Planning Team liaison from the County. However, each Department Director will serve as SME for the relevant topics.

**Figure 7-1-2: Village of Ruidoso 2023 HMP Integration Strategy**

Planning Mechanism	Description of Planning Mechanism Opportunity
Village of Ruidoso Emergency Operations Plan (EOP)	The 2018 EOP is reviewed and updated on an as-needed basis. The next EOP update will include integration of relevant concepts from the Hazard Mitigation Plan (HMP) such as social vulnerability, risk assessment, and goals from the HMP. The Village Emergency Manager will serve as the Planning Team Liaison from the Village of Ruidoso.
Infrastructure Capital Improvement Plan (ICIP)	The 2023 HMP will be utilized to inform and guide the submittal and funding of capital improvement projects on an annual basis. The Community Development and Water Resource Departments serve as the leads.

Planning Mechanism	Description of Planning Mechanism Opportunity
County Community Wildfire Protection Plan (CCWP)	The 2023 HMP will be utilized to inform the 5-year update of the 2019 County CWPP. In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The Fire Chief will serve as the Planning Team liaison from the Village.
Village of Ruidoso Comprehensive Plan	The 2019 Comprehensive Plan will have the next update in 2027. The most current HMP information on risk assessments, capabilities, and mitigation strategy concepts will be integrated into the Comprehensive Plan update. The Emergency Manager will serve as the Planning Team liaison. However, each Department Director will serve as subject matter expert for the relevant topics.
Grindstone Canyon Dam Emergency Action Plan (EAP)	The Grindstone Canyon Dam EAP is reviewed and updated as needed on an annual basis. During the next update, relevant information from the 2023 HMP will be incorporated, such as hazard profiles and mitigation recommendations as deemed appropriate. The Dam Failure actions will be considered and incorporated as deemed appropriate. The Water Production Manager will serve as the lead for integrating the HMP into future updates.
Alto Lake Dam EAP	The Alto Lake Dam EAP is reviewed and updated as needed on an annual basis. During the next update, relevant information from the 2023 HMP will be incorporated. The Water Production Manager will serve as the lead for integrating the HMP into future updates.

**Figure 7-1-3: Future Plan Integration Strategy for City of Ruidoso Downs**

Plan Integration Strategy for Next 5 Years:	
Planning Mechanism	Description of Planning Mechanism Opportunity
Infrastructure Capital Improvement Plan (ICIP)	The 2023 Hazard Mitigation Plan (HMP) will be utilized to inform and guide the submittal and funding of capital improvement projects on an annual basis. The Public Works Departments serves as the lead.
City of Ruidoso Downs Comprehensive Plan	The next update of the 2021 Comprehensive Plan will not occur until 2041 and there will be four HMP updates prepared prior to that time. The most current HMP information on risk assessments, capabilities, and mitigation strategy concepts will be integrated into the Comprehensive Plan update. The Fire Chief/Emergency Manager will serve as the Planning Team liaison. However, each Department Director will serve as subject matter expert for the relevant topics.

Plan Integration Strategy for Next 5 Years:	
Planning Mechanism	Description of Planning Mechanism Opportunity
County Community Wildfire Protection Plan (CWPP)	The 2023 HMP will be utilized to inform the 5-year update of the 2019 County CWPP. In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The City participates through the Greater Ruidoso WUI Working Group.

**Figure 7-1-4: Future Plan Integration Strategy for Town of Carrizozo**

Plan Integration Strategy for Next 5 Years:	
Planning Mechanism	Description of Planning Mechanism Opportunity
Town of Carrizozo Comprehensive Plan	The next update of the 2021 Comprehensive Plan will not occur until 2041 and there will be four Hazard Mitigation Plan (HMP) updates prepared prior to that time. The most current HMP information on risk assessments, capabilities, and mitigation strategy concepts will be integrated into the Comprehensive Plan update. The mayor will serve as the Planning Team liaison. However, each Department Director will serve as subject matter expert for the relevant topics.
Infrastructure Capital Improvement Plan (ICIP)	The 2023 HMP will be utilized to inform and guide the submittal and funding of capital improvement projects on an annual basis. The Public Works Departments serves as the lead.
Water Contingency Plan	The Water Contingency Plan is updated on an as-needed basis. During the next update, relevant information from the 2023 HMP will be incorporated, such as profiles and mitigation actions as deemed appropriate. The Town Clerk will serve as the lead for integrating the HMP into future updates.
County Community Wildfire Protection Plan (CWPP)	The 2023 HMP will be utilized to inform the 5-year update of the County 2019 CWPP. In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The Town participates through the Greater Ruidoso WUI Working Group.

**Figure 7-1-5: Future Plan Integration Strategy for Village of Capitan**

<b>Plan Integration Strategy for Next 5 Years:</b>	
<b>Planning Mechanism</b>	<b>Description of Planning Mechanism Opportunity</b>
Village Comprehensive Plan	The next update of the 2013 Comprehensive Plan will not occur until 2033 and there will be two Hazard Mitigation Plan (HMP) updates prepared prior to that time. The most current HMP information on risk assessments, capabilities, and mitigation strategy concepts will be integrated into the Comprehensive Plan update. The Fire Chief will serve as the Planning Team liaison. However, each Department Director will serve as subject matter expert for the relevant topics.
Drinking Water Bureau Emergency Response Plan	The 2015 Drinking Water Emergency Response Plan is updated on an as-needed basis. During the next update, relevant information from the 2023 HMP will be incorporated, including hazard profile information and mitigation actions. The Water Systems Manager will serve as the lead for integrating the HMP into future updates.
County Community Wildfire Protection Plan (CWPP)	The 2023 HMP will be utilized to inform the 5-year update of the County 2019 CWPP. In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The Fire Chief will serve as the Planning Team liaison from the Village.

**Figure 7-1-6: Future Plan Integration Strategy for Village of Corona**

<b>Plan Integration Strategy for Next 5 Years:</b>	
<b>Planning Mechanism</b>	<b>Description of Planning Mechanism Opportunity</b>
Village Comprehensive Plan	The next update of the 2013 Comprehensive Plan will not occur until 2033 and there will be two Hazard Mitigation Plan (HMP) updates prepared prior to that time. The most current HMP information on risk assessments, capabilities, and mitigation strategy concepts will be integrated into the Comprehensive Plan update. The Village Clerk will serve as the Planning Team liaison. However, each Department Director will serve as subject matter expert for the relevant topics.
County Community Wildfire Protection Plan (CWPP)	The 2023 HMP will be utilized to inform the 5-year update of the 2019 County CWPP. In particular, the risk assessment used in the 2023 HMP is a more recent wildfire risk assessment (State's 2020 Forest Action Plan). HMP wildfire actions will also be reviewed for incorporation in the CWPP. The South Central Mountain Resource Conservation and Development Council is taking the lead on securing funding and overseeing the CWPP Update. The Village participates through the Greater Ruidoso WUI Working Group.

## **APPENDIX A**

### **Acronyms**

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## **ACRONYMS AND ABBREVIATIONS**

44 CFR §201.6	CFR Title 44, Section 201.6
2012 HMP	2012 Lincoln County All Hazard Mitigation Plan
2018 HMP	2018 Lincoln County Multi-jurisdictional Hazard Mitigation Plan
°F	degrees Fahrenheit
Act	Robert T. Stafford Disaster Relief and Emergency Assistance Act
APA	Approval Pending Adoption
BFE	Base Flood Elevation
BIA	Bureau of Indian Affairs
BLE	Base Level Engineering
BLM	Bureau of Land Management
BRIC	Building Resilient Infrastructure and Communities
CDC	Center for Disease Control and Prevention
CFM	Certified Floodplain Manager
CFR	Code of Federal Regulations
cfs	cubic feet per second
CIP	Capital Improvement Program
CMP	County Master Plan
Co	Company
CP	Communication Plan
CRS	Community Rating System
CWDG	Community Wildfire Defense Grant
CWPP	Community Wildfire Protection Plan
DFIRM	Digital Flood Insurance Rate Map
DHSEM	Department of Homeland Security and Emergency Management
DMA 2000	Disaster Mitigation Act of 2000
DOT	Department of Transportation
DR	Drive
E	East
EAP	Emergency Action Plan
EMS	Emergency Medical Services
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency
estBFE	Estimated Base Flood Elevation Viewer

EWP	Emergency Watershed Protection grant program, Natural Resources Conservation Service
FEMA	Federal Emergency Management Agency
FID	Federal Identification Number
FIRM	Flood Insurance Rate Map
FMAG	Flood Mitigation Assistance Grant
GIS	geographic information system
HAZMAT	hazardous material
HAZUS-MH	Hazards United States Multi-Hazard
HHPD	High Hazard Potential Dam
HIFLD	Homeland Infrastructure Foundation Level Data
HMA	FEMA Hazard Mitigation Assistance
HMGP	Hazard Mitigation Grant Program
HMGP- Post Fire	Hazard Mitigation Grant Program - Post Fire
HMP	Hazard Mitigation Plan
hrs	hours
Hwy	Highway
I	Interstate
ICIP	Infrastructure Capital Improvement Plan
inFRM	Interagency Flood Risk Management
IPCC	Intergovernmental Panel on Climate Change
KBDI	Keetch-Byram Drought Index
LAL	Lightning Activity Level
LCC	Long Continuity Current Lightning
LEPC	Local Emergency Planning Committee
LLC	Limited Liability Corporation
MP	Mile Post/Mile Marker
mph	miles per hour
N	North
NCA	National Climate Assessment
NCEI	National Centers for Environmental Information
NDMC	National Drought Mitigation Center
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NID	National Inventory of Dams

NM	New Mexico
NMBGMR	New Mexico Bureau of Geology and Mineral Resources
NMDOT	New Mexico Department of Transportation
NMOSE	New Mexico Office of the State Engineer
No.	number
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
NWCG	National Wildfire Coordinating Group
NWS	National Weather Service
OES	Office of Emergency Services
PDM	Pre-Disaster Mitigation grant program
PDSI	Palmer Drought Severity Index
PER	Preliminary Engineering Report
PNM	Power New Mexico
PPOC	Primary Points of Contact
PRI	Priority Risk Index
PSA	Public Service Announcement
RAOB	Radiosonde Observation
RAWS	Remote Automatic Weather Station
RH	relative humidity
RL	Repetitive Loss
S	South
SCM RC&D	South Central Mountain Resource Conservation & Development Council, Inc.
SEED	Safety Evaluation of Existing Dams
SME	subject matter expert
Stafford Act	Robert T. Stafford Disaster Relief and Emergency Assistance Act
STAPLE+E	Social, Technical, Administrative, Political, Legal, Economic, Environmental
State HMP	State Hazard Mitigation Plan
SVI rating	Social Vulnerability Index rating
US54	U.S. Route 54
US70	U.S. Route 70
US380	U.S. Route 380
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture

USFS	United States Forest Service
USGCRP	United States Global Change Research Program
USGS	United States Geological Survey
W	West
WFIGS	Wildland Fire Interagency Geospatial Services
WUI	wildland urban interface
WWTP	Wastewater Treatment Plant

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## **APPENDIX B**

### **Past Occurrences**

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**PREVIOUS HAZARD OCCURRENCES  
Through December 2016**

**B-1 Wildfire**

Location	Date	Detailed Description
Lincoln County Village of Ruidoso Ruidoso Downs	4/3/2011 The White Fire	A human-caused wildfire begun in Gavilan Canyon and quickly spread north and northeast as very strong winds fueled the fire. The White Fire crossed Highway 70 near Ruidoso Downs and continued to move toward Forest Service Road 120. Highway 70 between mile markers 265 and 271 was closed for a time. Much of the burned area consists of steep, rough and rocky terrain, which made it difficult to contain the fire. In all, 10,384 acres were scorched, 5 homes and 7 outbuildings were destroyed and another 2 homes and 2 outbuildings were damaged, totaling \$1.5 Million in property damage costs.
Village of Ruidoso	6/16/2011 The Swallow Fire	The Swallow Fire quickly engulfed 9 homes amidst breezy, hot and very dry conditions. This human caused fire, named the Swallow Fire for starting on Swallow Drive, burned 10 acres of land in a wooded Ruidoso neighborhood. Nine homes were lost to the blaze, totaling \$3.50 Million in property damage costs.
Lincoln County	06/28/2011 Donaldson Fire	A wildfire which started on June 28, 2011, named the Donaldson because it started on the ranch of famous newsman Sam Donaldson, was caused by lightning. The high winds caused the fire to pick up intensity as it sped south of Hondo reaching both sides of the Rio Hondo, reaching not only private land but the Mescalero Apache Tribal lands as well. The fire burned approximately over 100,000 acres and caused over \$5 million in damages.

Location	Date	Detailed Description
Lincoln County	08/07/2011 Baton Rouge Fire	Though it was the middle of monsoon, dry fuels and abundant lightning resulted in a new wildfire. The Baton Rouge Complex consumed over 28,000 acres, most of which was within Lincoln County, though some burnout operations occurred just across the border in Chaves County. The Baton Rouge Complex consisted of both the Baton Rouge wildfire and the Flying H wildfire which were started by lightning. In all, the fires burned over 28,000 acres near the Chaves and Lincoln County line. Approximately 10 power poles, which fed a local ranch, were destroyed on the north side of the fire within Lincoln County. Total property damage totaled \$25K.
Lincoln County Village of Ruidoso	04/03/2012 Little Bear Fire	This lightning sparked wildfire erupted on the afternoon of June 4, 2012, then spread rapidly overnight during strong gusty winds. The Little Bear Fire burned approximately 35,300 acres of National Forest System (NFS) Lands on the Smokey Bear Ranger District of the Lincoln National Forest, with total burn area of 44,330 acres. The fire started in the White Mountain Wilderness and ran northeast across six watersheds, including the Rio Bonito, in the mountains directly adjacent to Ruidoso, Alto, and Angus, New Mexico. The burn severity was high to moderate throughout 53% of the fire. The fire destroyed 254 residential structures, 12 outbuildings, and forced numerous evacuations across the region. \$26M in property damage was reported.
Lincoln County	02/09/2015	Persistent high pressure over New Mexico caused a prolonged period of near record to record high temperatures for central and eastern areas. Very warm temperatures on the 9th combined with low humidity values and windy conditions to create critical fire weather conditions for portions of east central New Mexico. No other injuries or property damage were reported. Total property damage was \$6K.

**B-2 Flood**

Location	Date	Detailed Description
Lincoln County	7/28/2010	Deep monsoon moisture combined with an easterly wave over southeast New Mexico to create widespread heavy rain across northern and central New Mexico. Hardest hit areas were in the vicinity of the central mountain chain, where several flash floods were observed. \$26K in property damage was reported.
City of Ruidoso Downs	7/13/2011	Heavy rains led to flooding in Allison Canyon along U.S. Highway 70 near mile marker 268. Fortunately, residents in the River Ranch RV park along the canyon were evacuated prior to the high water reaching the ranch. An estimated 4 to 6 feet of water flowed through the area. Fortunately, the RV park did not sustain much damage. \$0 in property damage was reported.
Lincoln County Village of Ruidoso	7/28/2010	Deep monsoon moisture combined with an easterly wave over southeast New Mexico to create widespread heavy rain across northern and central New Mexico. Hardest hit areas were in the vicinity of the central mountain chain, where several flash floods were observed. \$26K in property damage was reported.
City of Ruidoso Downs	8/3/2011	Heavy rain fell early in the afternoon across the White Fire burn scar. Fortunately only minor flooding ensued at the time. However, as another round of showers and thunderstorms moved over the burn scar in the evening, more significant flooding resulted. Culverts that were built along a road near Seeping Springs that crossed Allison Canyon were already at capacity from the earlier rains. The additional precipitation caused them to give way, which lead to rapid flows along Allison Canyon. These waters reach the River Ranch RV Park along Highway 70. The water was estimated to be three feet high, which topped the concrete barriers that were installed to protect the park. Fortunately, the park did not sustain any damage. \$10K in property damage was reported.

Location	Date	Detailed Description
City of Ruidoso Downs	8/5/2011	A thunderstorm slowing moving to the northeast, dropped significant amounts of rain between Ruidoso and Glencoe. Though the Rio Ruidoso was running high and fast downstream of Ruidoso Downs, the most significant flooding was within the town itself. Water approximately two feet deep flooded the intersection of Highlands and Joe Welch. An SUV attempted to cross the waters but was unsuccessful. Flooding and debris from the White Fire burn scar was also noted along Highway 70. \$0 in property damage was reported.
Lincoln County	8/12/2011	A strong thunderstorm with very heavy rain moved squarely over the White Fire burn scar dumping up to 2 inches per radar estimates. A few hours later, a seemingly typical afternoon thunderstorm north of Clovis produced violent wind gusts as the storm quickly collapsed. \$10K in property damage was reported.
City of Ruidoso Downs	8/20/2011	Heavy rains on the eastern half of the White Fire burn scar led to flash flooding along the Rio Ruidoso downstream toward Glencoe and Hondo. Radar estimates near 3 inches of rain fell in this area. Emergency management reported the Rio Ruidoso out of its banks for a 6 to 10 mile stretch downstream of the White Fire burn scar. High water levels in the canyons and arroyos on the east and south side of the burn scar flowed into the Rio Ruidoso, causing it to flood. Debris from the burn area was piled up on the banks. Near mile marker 272.5 on Highway 70, portions of the Rio de Oso Trailer park was underwater. \$0 in property damage was reported.
City of Ruidoso Downs	8/21/2011	Upper level high pressure was centered over New Mexico resulting in very light and erratic steering winds aloft. This coupled with sufficient moisture aided in the development of slow-moving heavy rain producing thunderstorms over and near the central mountain chain and western high terrain. Flash flooding was observed over the Little Bear burn scar. The Rio Ruidoso was reported to be out of its banks along U.S. Highway 70 at Fox Cave. \$0 in property damage was reported.

Location	Date	Detailed Description
Village of Ruidoso City of Ruidoso Downs	8/21/2012	Upper level high pressure was centered over New Mexico resulting in very light and erratic steering winds aloft. This coupled with sufficient moisture aided in the development of slow-moving heavy rain producing thunderstorms over and near the central mountain chain and western high terrain. Flash flooding was observed over the Little Bear burn scar. A swift water rescue was conducted near Gavilan Canyon. \$0 in property damage was reported.
Lincoln County	6/22/2012	Slow moving showers and thunderstorms developed early in the afternoon over the Little Bear burn scar. Heavy and prolonged rain was received over portions of a recent wildfire burn scar leading to flash flooding. Three hundred yards of forest service road 107 washed out between Runnels Stables on northwest end of Little Bear burn scar and Bonito Lake. \$50K in property damage was reported.
Lincoln County	7/5/2012	This pattern maintained a persistent south to north steering component within a deep monsoonal moisture plume over the state. Precipitable water values were 150-200% of normal. Narrow stream channels quickly rose with water levels reaching a depth of 4 feet. the flood waters moved debris and boulders the size of car tires 10 to 15 feet downstream. \$10K in property damage was reported.
Lincoln County	7/7/2012	Monsoonal moisture plume over much of western and central portions of the state led to continued development of isolated to scattered showers and thunderstorms across much of the area. Development of storms to the north of the Little Bear Fire burn scar led to flooding in portions of the scarred area. A partial road collapse occurred along Old Bonito Lake Rd due to flash flood undercuts and encroachments. \$25K in property damage was reported.
Lincoln County	9/6/2012	A weak back door cold front pushed into the state ushering in lower level moisture and creating a favorable environment for afternoon shower and thunderstorm development. Large rocks and boulders were washed over portions of Forest Road 107 making it impassable. Rainfall amounts of nearly one inch were reported near the area where the flash flooding took place. \$2K in property damage was reported.

Location	Date	Detailed Description
Lincoln County	8/1/2013	A persistent area of training thunderstorms over south-central Lincoln County produced heavy rainfall over the Little Bear burn scar. The first round of heavy rainfall dumped around 1 inch of rainfall in the area from the White burn scar west across Ruidoso to the Little Bear burn scar. \$1K in property damage was reported.
Lincoln County	9/13/2013	Heavy rainfall over the Rio Bonito watershed led to a 23 feet rise in Bonito Lake. The lake rose from 22 feet below the spillway to 8 inches over the spillway. Emergency operations were in place due to significant concerns regarding a breach of the spillway. No breach occurred. Eagle Creek was out of banks and flooded a nearby playground along NM 48. There was no property damage.
Lincoln County	9/18/2013	A weak upper level jet axis focused directly over central New Mexico interacted with abundant low level moisture entrenched over the region to produce scattered strong to severe thunderstorms. These storms were slow-moving and in many cases trained over the same areas repeatedly through the afternoon and early evening hours. Heavy rainfall with this convective activity fell on already saturated soil conditions and exacerbated flooding concerns after a historic week of flooding. NM 247 closed between mile markers 0 and 48 due to flooding. \$0 in property damage was reported.
Lincoln County	7/14/2014	A couple severe thunderstorms erupted over the area given the presence of strong vertical wind shear. The most severe flooding occurred well after sunset when training thunderstorms around the Espanola area produced prolific rainfall amounts. \$0 in property damage.

Location	Date	Detailed Description
Village of Capitan	9/21/2014	Many areas from the upper Gila region of Catron County eastward across Socorro and Lincoln counties into the eastern plains reported 4 day rainfall amounts of 2 to nearly 5 inches. This prolonged heavy rainfall event and abundant remnant moisture set the stage for flash flooding as a second upper disturbance approached from northwestern Mexico on the 21st. A large area of heavy rainfall shifted very slowly north across Lincoln and Chaves counties resulting in flash flooding. Flooding was reported on State Road 246 at mile markers 4,27-29, and 55-56. Pavement was damaged at mile marker 29. The highway was closed from Capitan to Roswell. \$130K in property damage was reported.
Lincoln County	9/4/2014	A monsoon moisture surge containing the remnants of two tropical systems moved into the state from the south and southwest. Mud and debris was reported on State Road 107 west of Bonito Lake. \$0 in property damage.
Lincoln County	9/21/2014	Many areas from the upper Gila region of Catron County eastward across Socorro and Lincoln counties into the eastern plains reported 4 day rainfall amounts of 2 to nearly 5 inches. This prolonged heavy rainfall event and abundant remnant moisture set the stage for flash flooding as a second upper disturbance approached from northwestern Mexico on the 21st. A large area of heavy rainfall shifted very slowly north across Lincoln and Chaves counties resulting in flash flooding. Flooding was reported on State Road 246 at mile markers 4,27-29, and 55-56. Pavement was damaged at mile marker 29. The highway was closed from Capitan to Roswell. \$130K in property damage was reported.
Lincoln County	9/24/2014	A strong back door cold front shifted southwest over eastern New Mexico on the 24th, setting the stage for severe thunderstorms and more heavy rainfall. Large rocks that disrupted traffic were swept onto US 380 due to intense runoff.\$0 in property damage.

Location	Date	Detailed Description
Lincoln County	7/12/2015	One storm in particular to the west of Ruidoso near Bonito Lake produced a significant localized flash flood near Orchard Campground and Marthas Canyon. Several points on the road were washed over with flood waters, mud, rocks, and debris. A significant wash out with debris near Orchard Campground west of Bonito Lake. A couple places along highway 107 were impassable due to flowing water and debris. Marthas Canyon was the hardest hit. \$10K in property damage was reported.
Lincoln County	8/10/2015	The largest hail reported was quarter size near Logan, an area that also received 5.05 inches of rain throughout the event. The heavy rains produced flash flooding along U.S. Highway 54 between Corona and Carrizozo, causing the road to be closed for 45 minutes. \$10K in property damage was reported.
Lincoln County	9/9/2015	Several storms quickly became strong then eventually severe with large hail and high winds. This activity merged into a large cluster of slow- moving storms around Lincoln County later in the afternoon where localized flash flooding impacted State Road 462. \$0 in property damage was reported.

### B-3 Thunderstorms (includes Thunderstorms, Lightning, and Hail)

Location	Date	Detailed Description
Village of Corona	6/21/2011	A strong back door cold front brought moisture into eastern New Mexico and up against the east slopes of the central mountains. The combination of moisture, lift and instability triggered showers and thunderstorms over the eastern half of the state, with a couple of storms turning severe. The magnitude of hail was 0.88 in. with \$0 property damage.
Lincoln County	8/12/2011	A strong thunderstorm with very heavy rain moved squarely over the White Fire burn scar dumping up to 2 inches per radar estimates. A few hours later, a seemingly typical afternoon thunderstorm north of Clovis produced violent wind gusts as the storm quickly collapsed. \$10K in property damage was reported.
Village of Ruidoso	5/21/2012	Numerous reports of severe thunderstorm wind gusts, large hail, and even funnel clouds were received. Quarter size hail reported 2 miles southeast of Ruidoso. No property damage was reported.

Location	Date	Detailed Description
City of Ruidoso Downs	6/16/2012	A complex of thunderstorms that developed over northeastern New Mexico moved southeast and produced a large scale severe outflow boundary with winds of 60 to 70 mph. Hail magnitude was 1.00 in. and no property damage was reported.
Lincoln County	6/22/2012	Slow moving showers and thunderstorms developed early in the afternoon over the Little Bear burn scar. Heavy and prolonged rain was received over portions of a recent wildfire burn scar leading to flash flooding. Three hundred yards of forest service road 107 washed out between Runnels Stables on northwest end of Little Bear burn scar and Bonito Lake. \$50K in property damage was reported.
Lincoln County	7/5/2012	This pattern maintained a persistent south to north steering component within a deep monsoonal moisture plume over the state. Precipitable water values were 150-200% of normal. Narrow stream channels quickly rose with water levels reaching a depth of 4 feet. the flood waters moved debris and boulders the size of car tires 10 to 15 feet downstream. \$10K in property damage was reported.
Lincoln County	7/7/2012	Monsoonal moisture plume over much of western and central portions of the state led to continued development of isolated to scattered showers and thunderstorms across much of the area. Development of storms to the north of the Little Bear Fire burn scar led to flooding in portions of the scarred area. A partial road collapse occurred along Old Bonito Lake Rd due to flash flood undercuts and encroachments. \$25K in property damage was reported.
Lincoln County	9/6/2012	A weak back door cold front pushed into the state ushering in lower level moisture and creating a favorable environment for afternoon shower and thunderstorm development. Large rocks and boulders were washed over portions of Forest Road 107 making it impassable. Rainfall amounts of nearly one inch were reported near the area where the flash flooding took place. \$2K in property damage was reported.

<b>Location</b>	<b>Date</b>	<b>Detailed Description</b>
Lincoln County	6/7/2013	Severe outflow winds, localized wind damage, large hail, locally heavy rainfall, and significant blowing dust were reported with some of these storms. The most severe thunderstorms produced baseball size hail around Arabela and damaging wind in excess of 70mph. The magnitude of the hail was 2.15 in. and the property damage was \$1k.
Lincoln County	7/2/2013	Showers and thunderstorms initially developed over the peaks of the northern high terrain and drifted south throughout the day as storms increased in both coverage and intensity. The magnitude of the hail was 1.75 in. and caused \$1K in property damage.
Lincoln County	8/1/2013	A persistent area of training thunderstorms over south-central Lincoln County produced heavy rainfall over the Little Bear burn scar. The first round of heavy rainfall dumped around 1 inch of rainfall in the area from the White burn scar west across Ruidoso to the Little Bear burn scar. \$1K in property damage was reported.
Ruidoso Downs	8/31/2013	A strong thunderstorm that developed around the Ruidoso area produced pea to nickel size hail and heavy rainfall.
Village of Capitan	5/23/2014	Showers and thunderstorms developed over the high plains and moved east as a squall line through the early morning hours on the 24 <sup>th</sup> . Several reports of pea to quarter size hail, strong damaging winds, and flooding were received across eastern New Mexico. \$0 in property damage was reported.
Village of Corona	6/7/2014	Deep moisture and instability aided in the development of supercell thunderstorms during the afternoon and evening hours along the east slopes of the central mountain chain that moved into the eastern plains. Large, damaging hail, strong winds, heavy downpours, and tornadoes were reported. Hail ranging from 2 to 4 inches in diameter. \$50K in property damage was reported.
Lincoln County	9/4/2014	A monsoon moisture surge containing the remnants of two tropical systems moved into the state from the south and southwest. Mud and debris was reported on State Road 107 west of Bonito Lake. \$0 in property damage.

Location	Date	Detailed Description
Lincoln County	9/24/2014	A strong back door cold front shifted southwest over eastern New Mexico on the 24th, setting the stage for severe thunderstorms and more heavy rainfall. Large rocks that disrupted traffic were swept onto US 380 due to intense runoff. no property damage was reported.
Village of Capitan	5/15/2015	Scattered showers and thunderstorms moved northeast over the region, some of which became strong to severe. Quarter size hail was reported at Pep. Unfortunately, a woman was struck by lightning and later passed away.
Village of Corona	10/20/2015	A widespread burst of showers and thunderstorms with heavy rainfall and severe weather surged across much of the area along and south of Interstate 40. Numerous reports of large hail and flooding were received. Magnitude of hail was 1.00 in., and \$0 property damage was reported in this event.

#### B-4 Winter Storms

Location	Date 1/2010-1/2016	Detailed Description
Upper Tularosa Valley – covers the region of the Town of Carrizozo	7 reported events	These severe winter storm events consisted of heavy snow ranging from moderate 1 in. to 8 in. \$0 in property damage was reported.
South Central Mountains – covers the region of the Villages of Capitan and Corona	18 reported events	These severe winter storm events consisted of heavy snow ranging from moderate 1 in. to 16 in. \$0 in property damage was reported.
Eastern Lincoln County	16 reported events	These severe winter storm events consisted of heavy snow ranging from moderate 1 in. to 15 in. \$0 in property damage was reported in all events, except for the severe winter storm listed below.
Eastern Lincoln County	12/26/2015	Heavy snow and high winds paralyzed much of eastern Lincoln County through the 30th. Snowfall amounts averaged 12 to 15 inches. The NM EOC reported that a several mile stretch of State Road 246 was buried in a drift up to 15 feet. All roads were closed across this area for a couple days. A large amount of livestock and range land animals were expected to have perished in this event. \$1M in property damage was reported.

## B-5 Drought

The count of Drought events listed here is based on the U.S. Department of Agriculture emergency declarations.

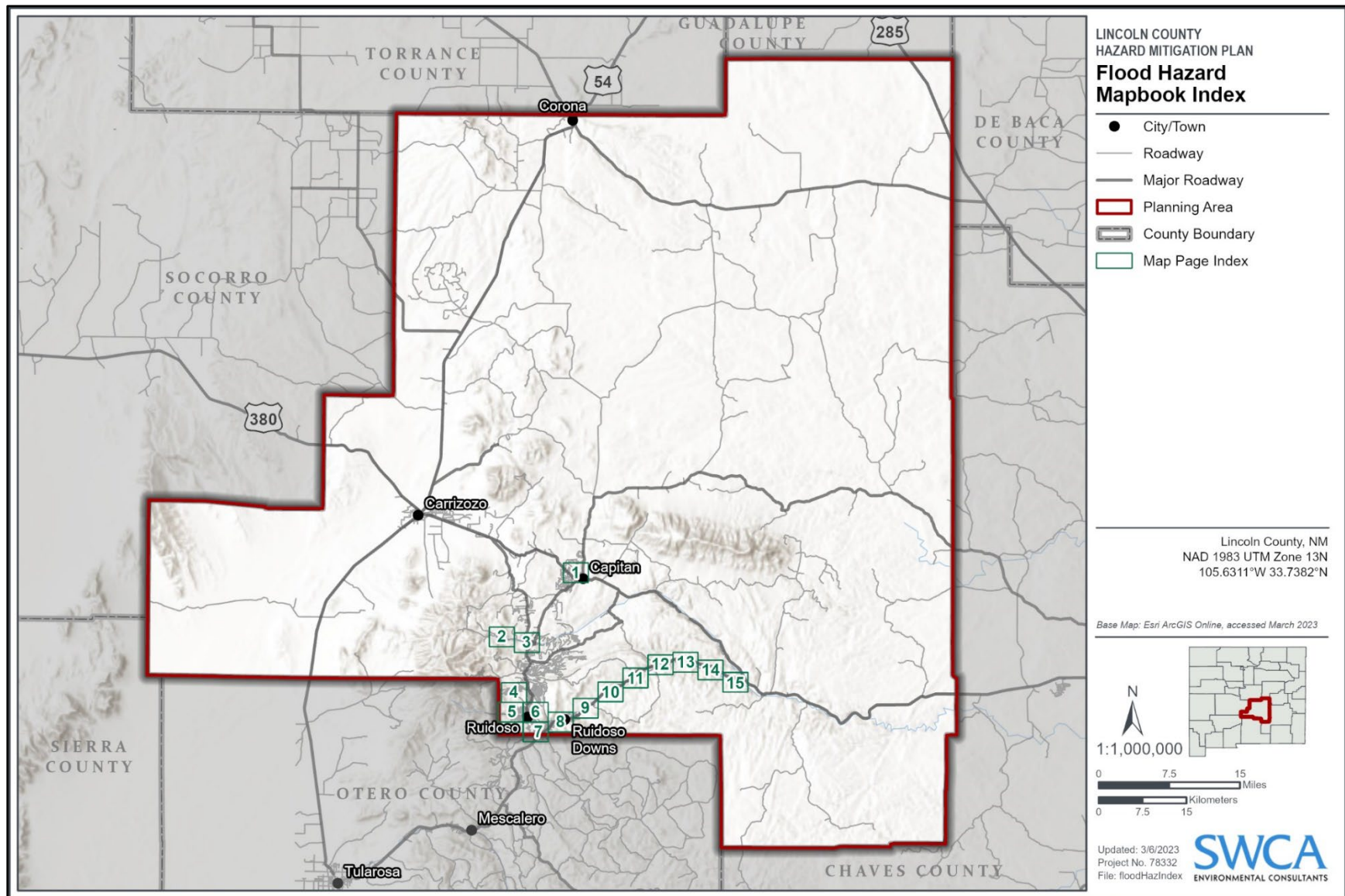
Location	Date 2010-2016	Detailed Description
South Central Highlands – covers the region of the Villages of Corona and Capitan	62 reported events	These reported drought events ranged from moderate drought (D1, Palmer Drought Severity Index (PDSI) between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).
Upper Tularosa Valley – covers the region of the Town of Carrizozo	55 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).
South Central Mountains – covers the region of the Village of Ruidoso and City of Ruidoso Downs	55 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).
Eastern Lincoln County – covers the region east of the Sacramento Mountains.	55 reported events	These reported drought events ranged from moderate drought (D1, PDSI between -2.0 and -2.9), severe drought (D2, PDSI between -3.0 and -3.9), extreme drought (D3, PDSI between -4.0 and -4.9), and exceptional drought (D4, PDSI between -5.0 and -5.9).

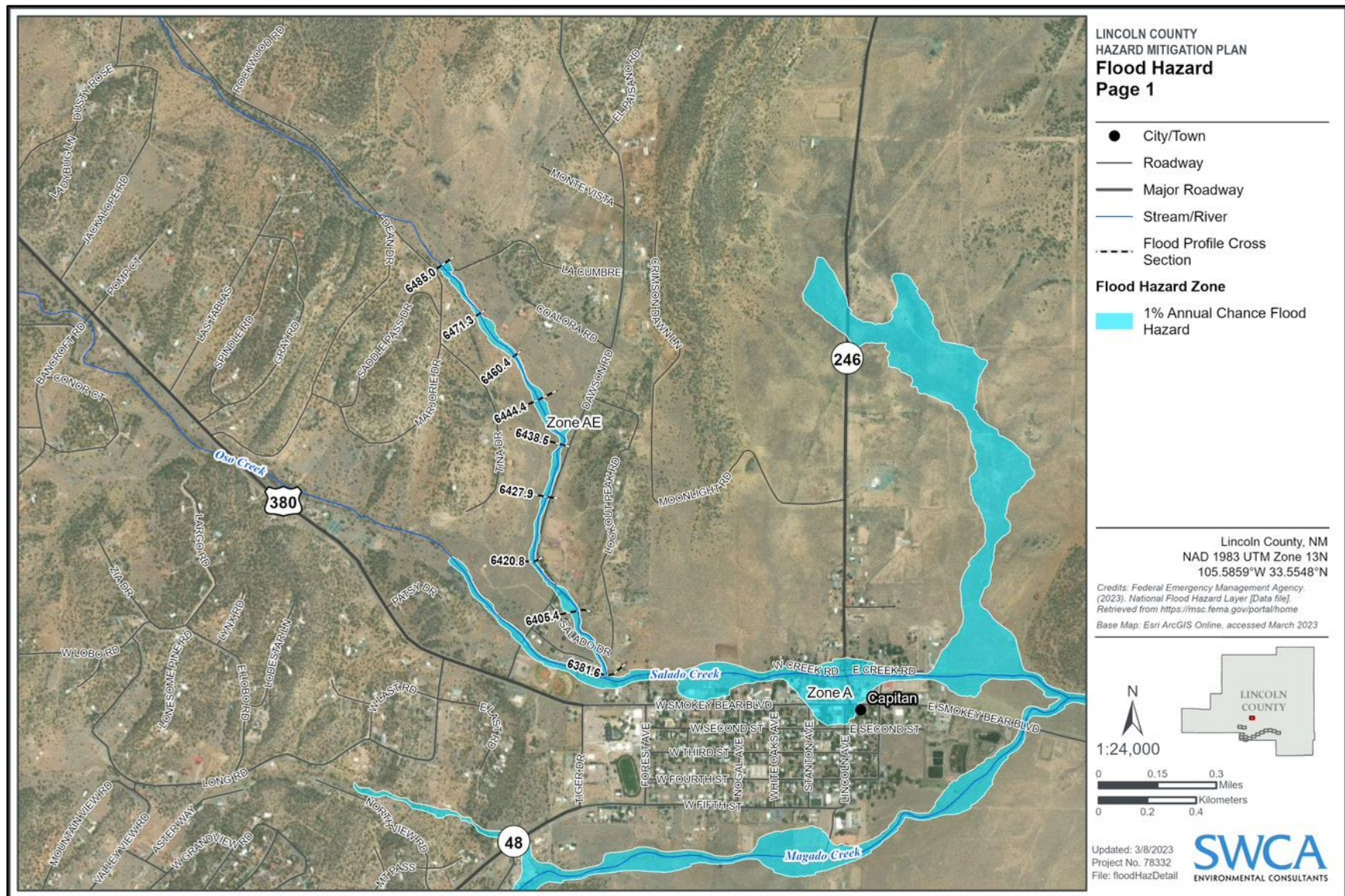
## **APPENDIX C**

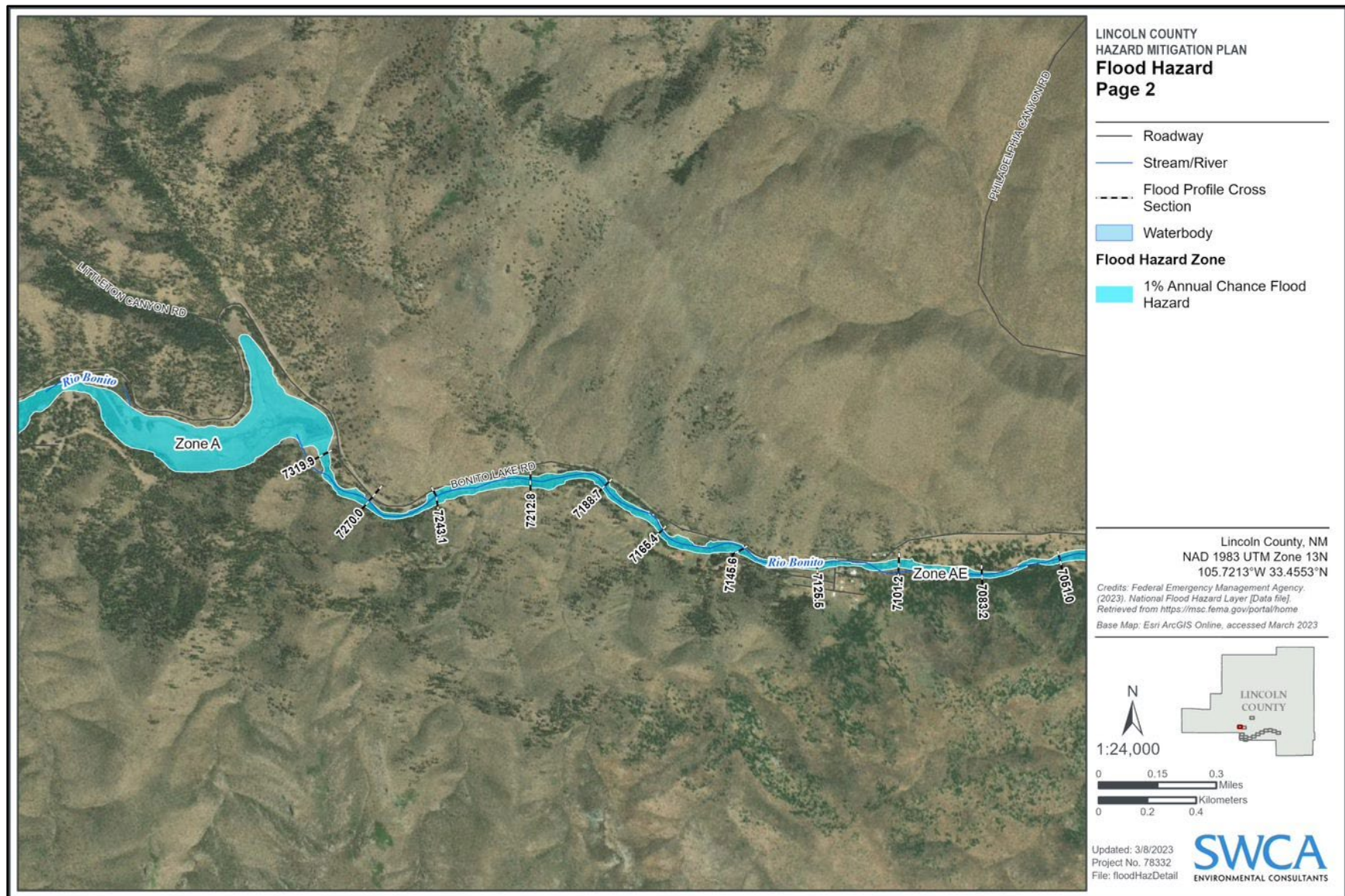
### **Flood Hazard Mapbook**

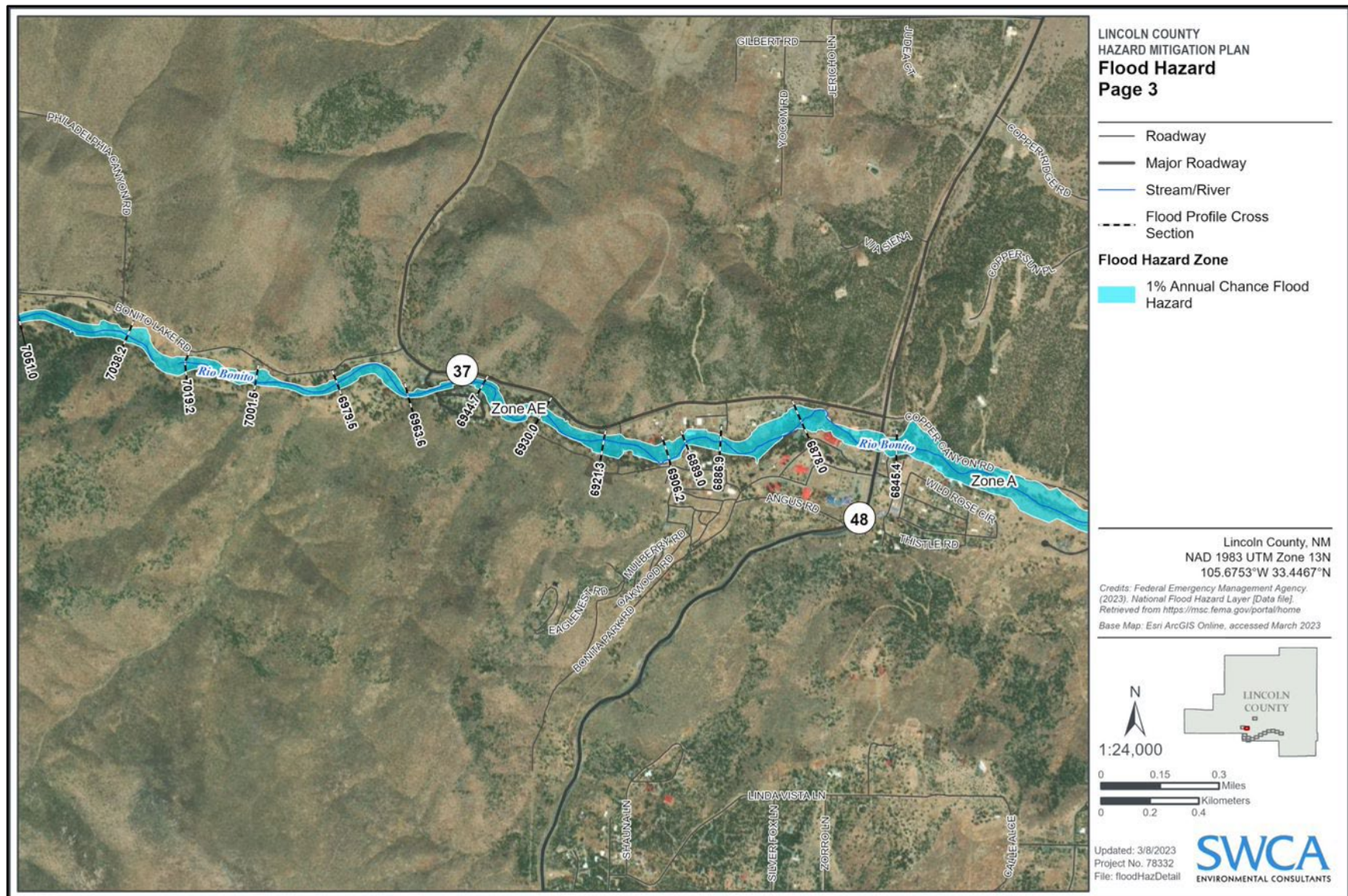
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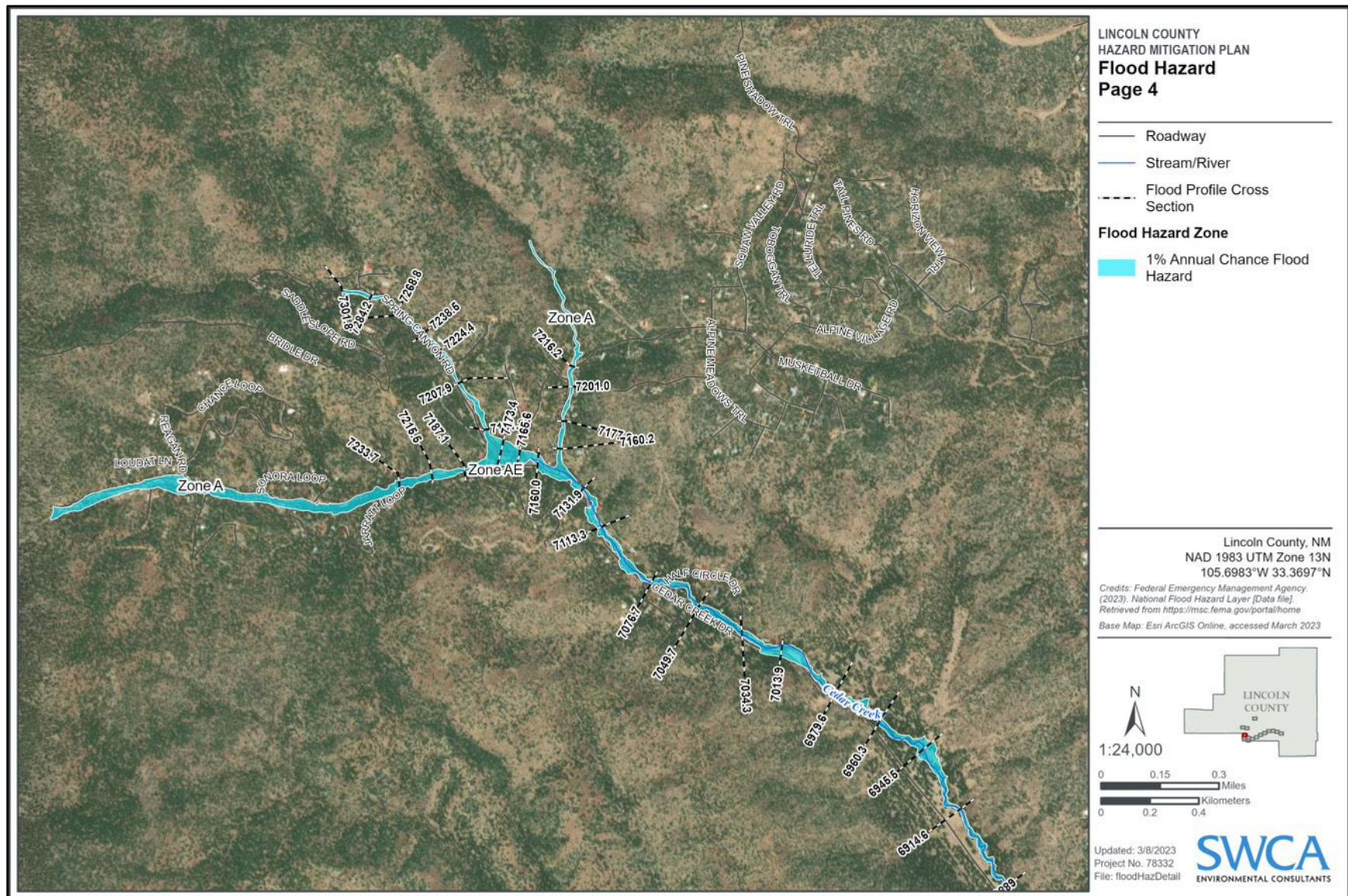
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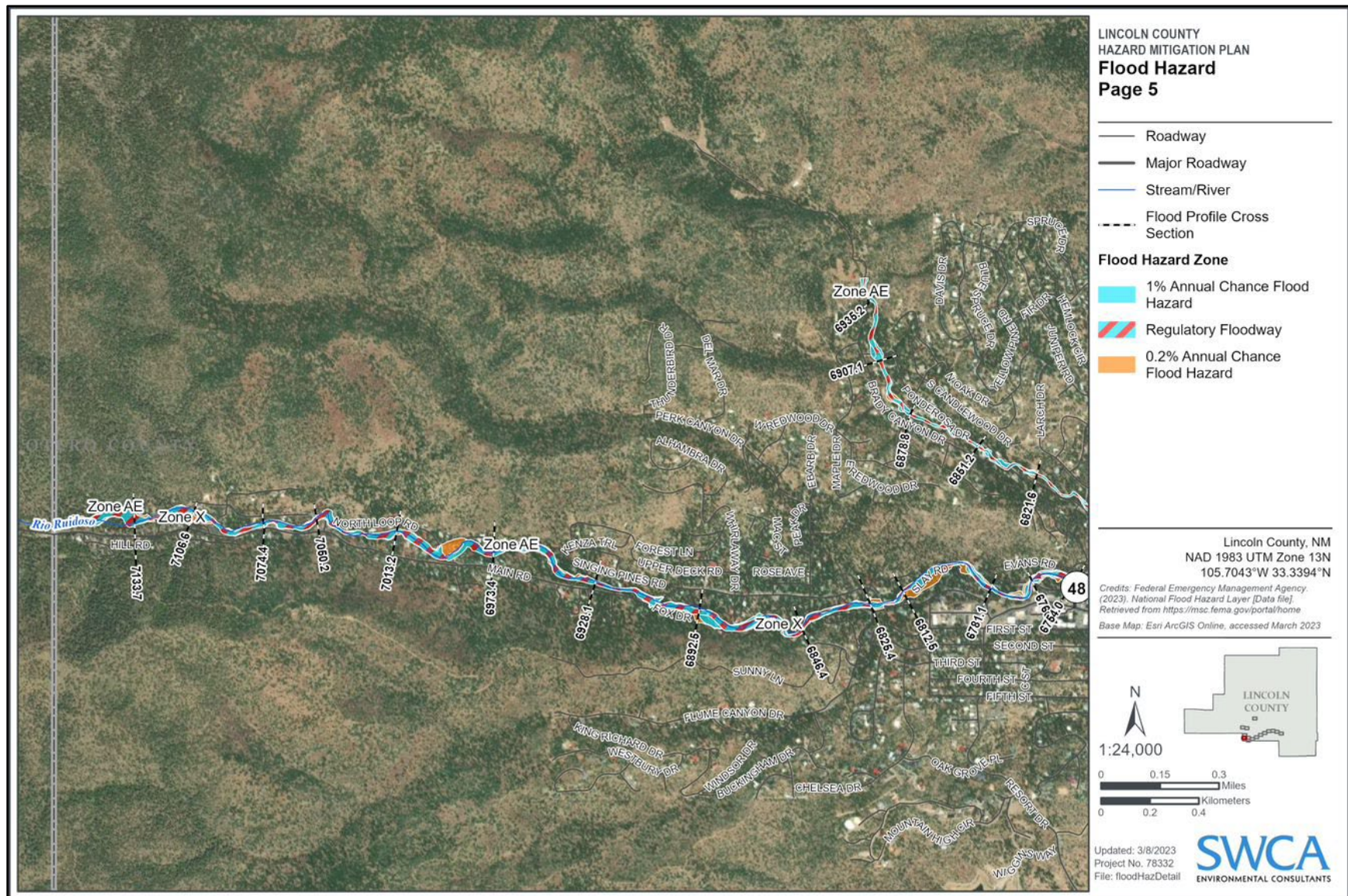


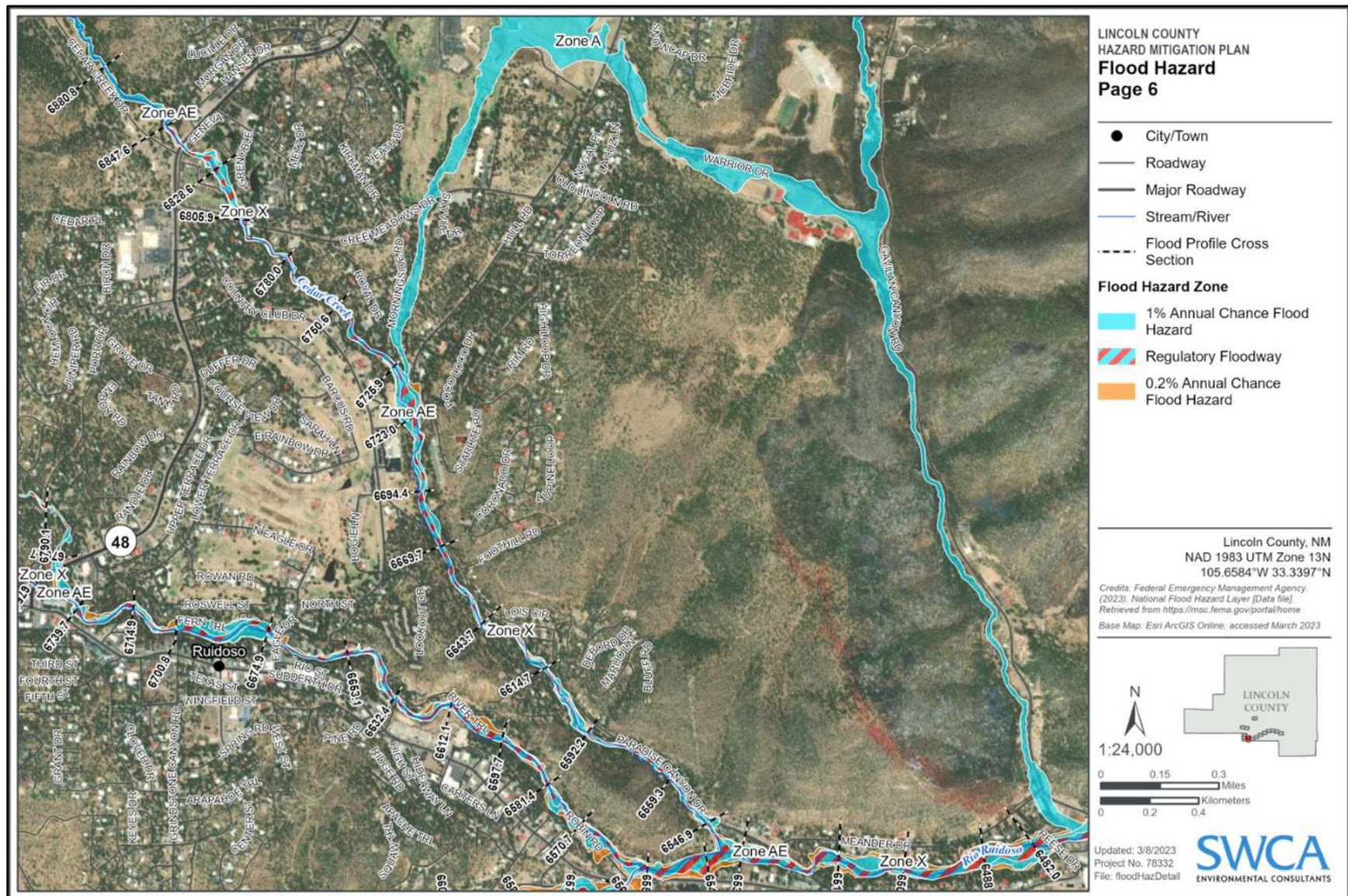


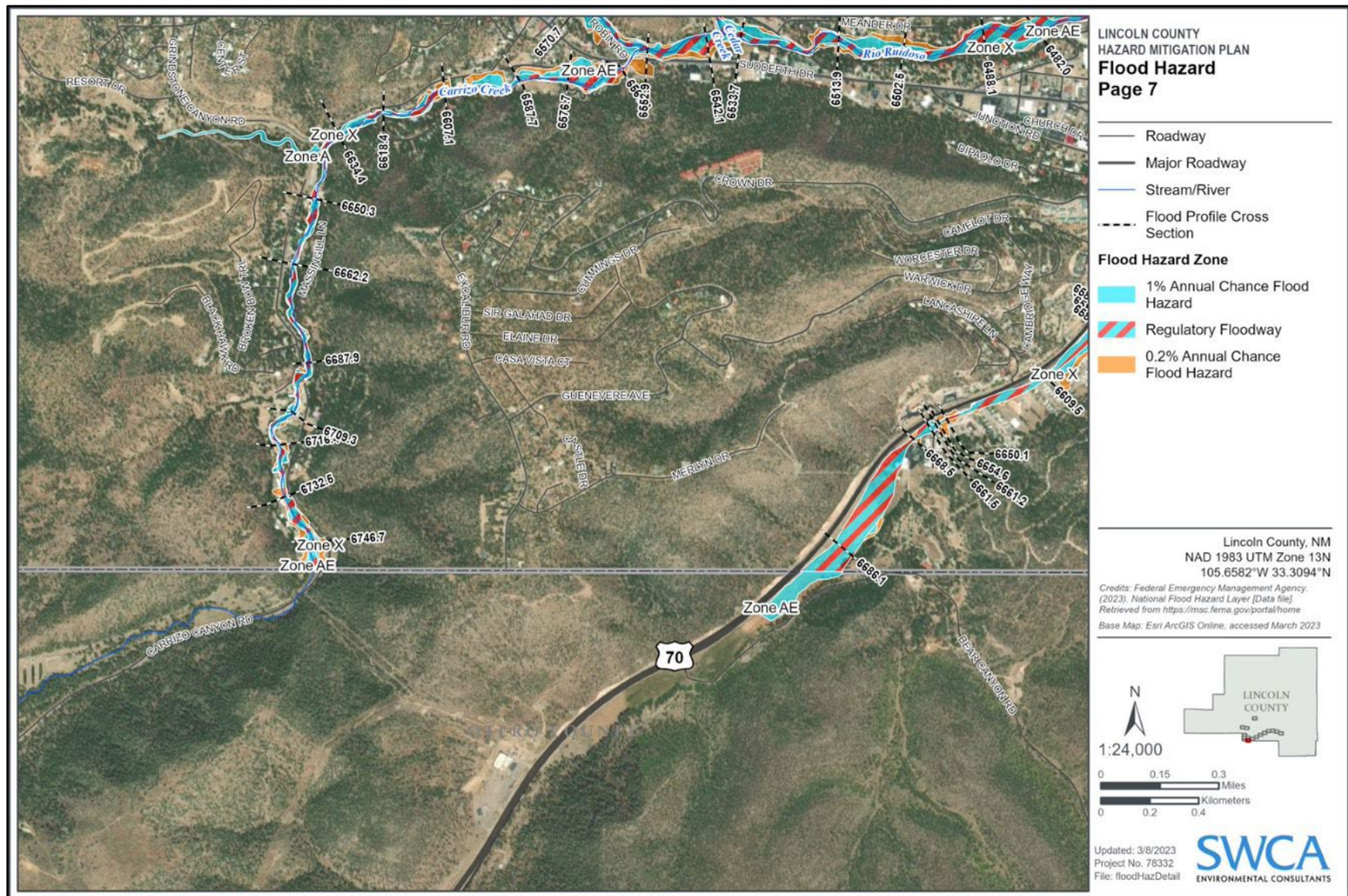


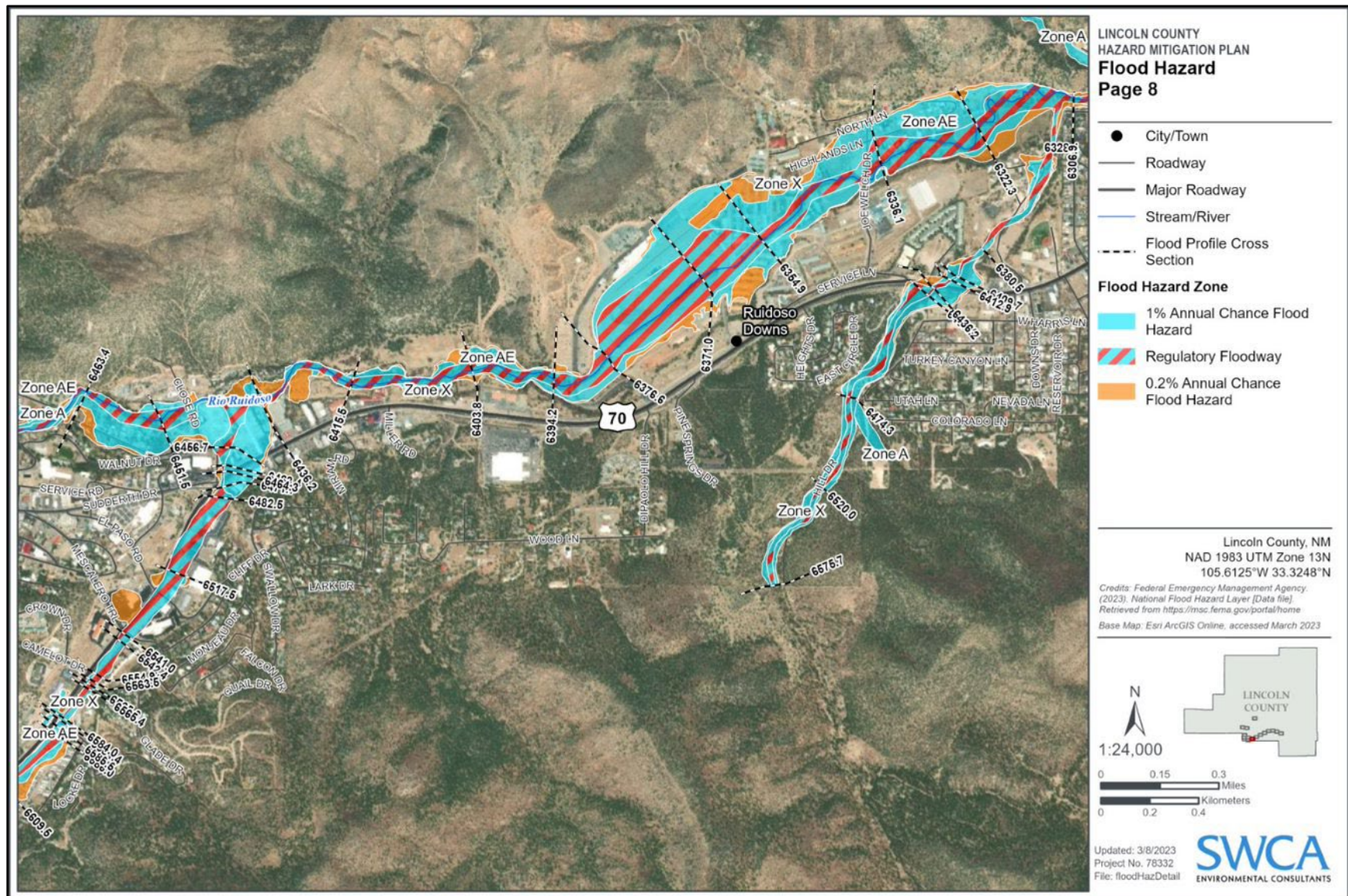


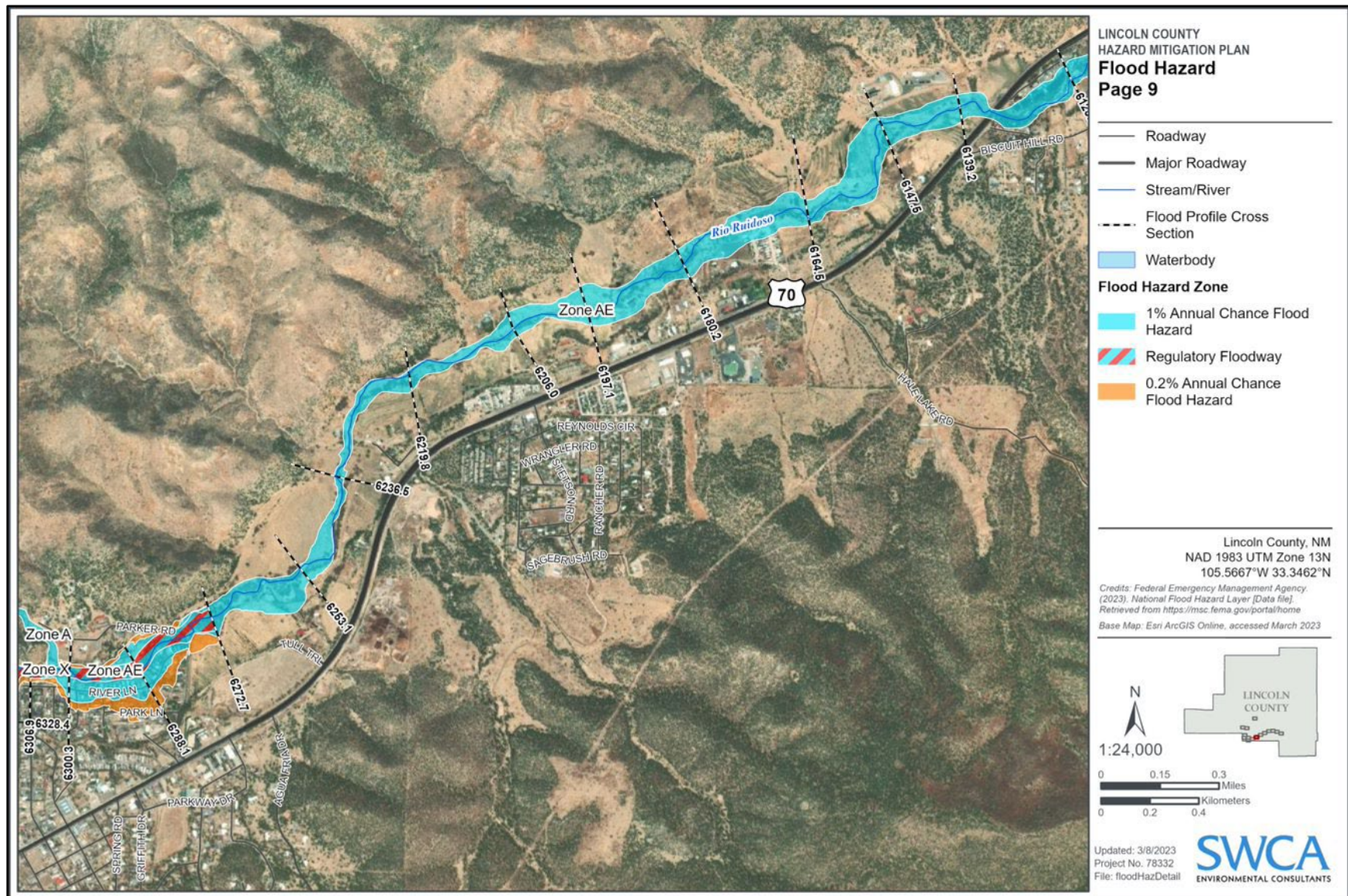


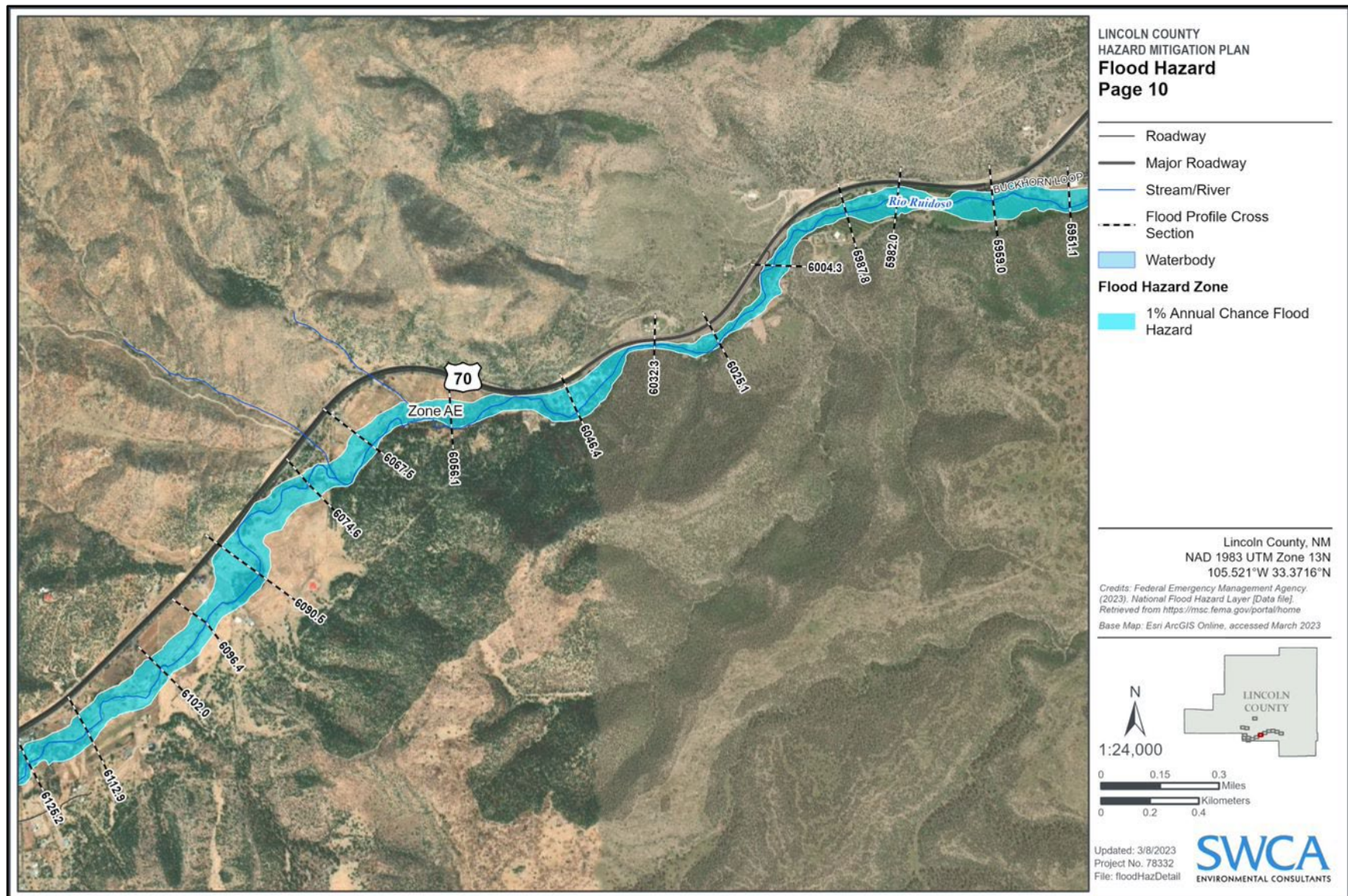


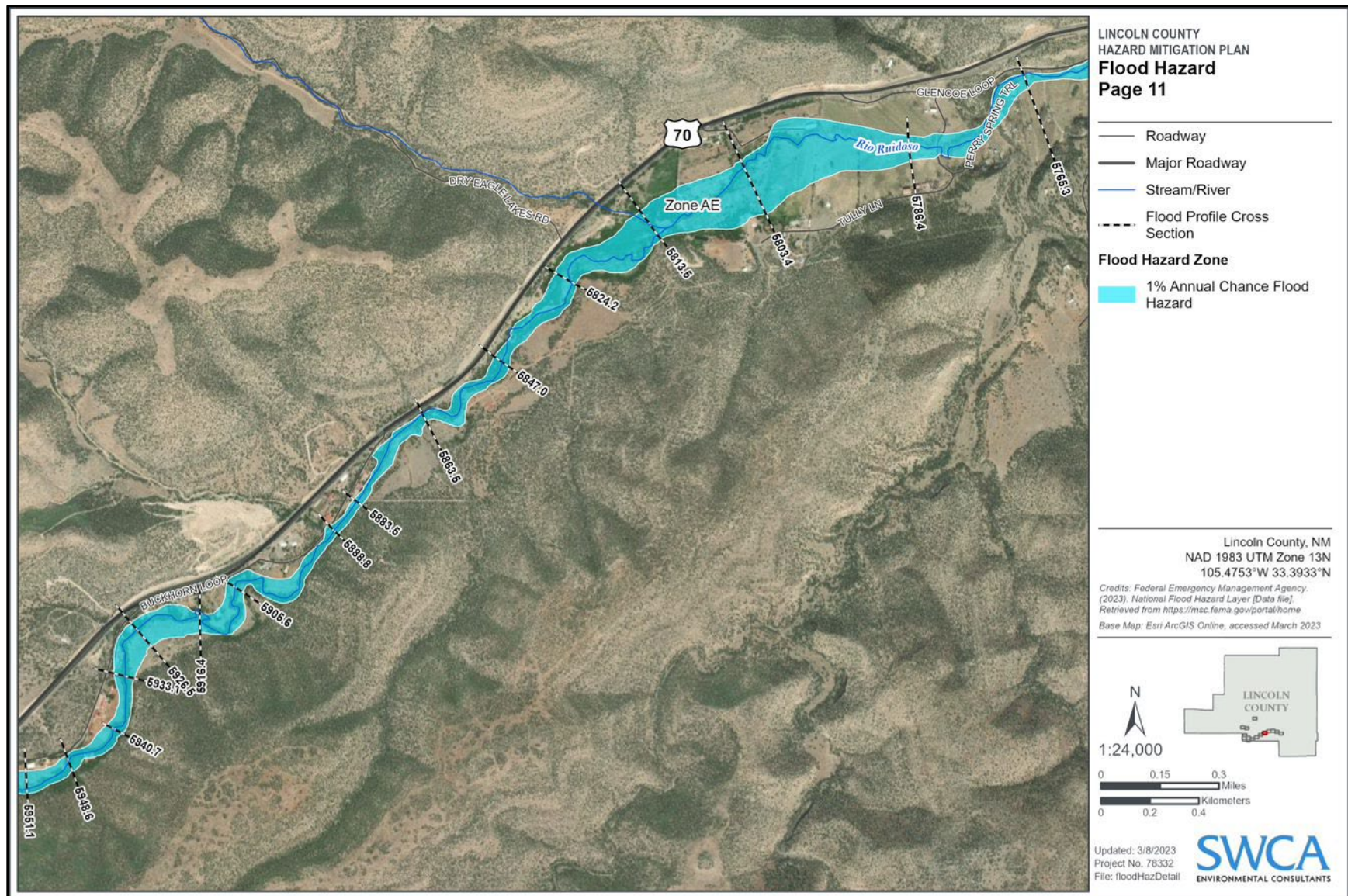


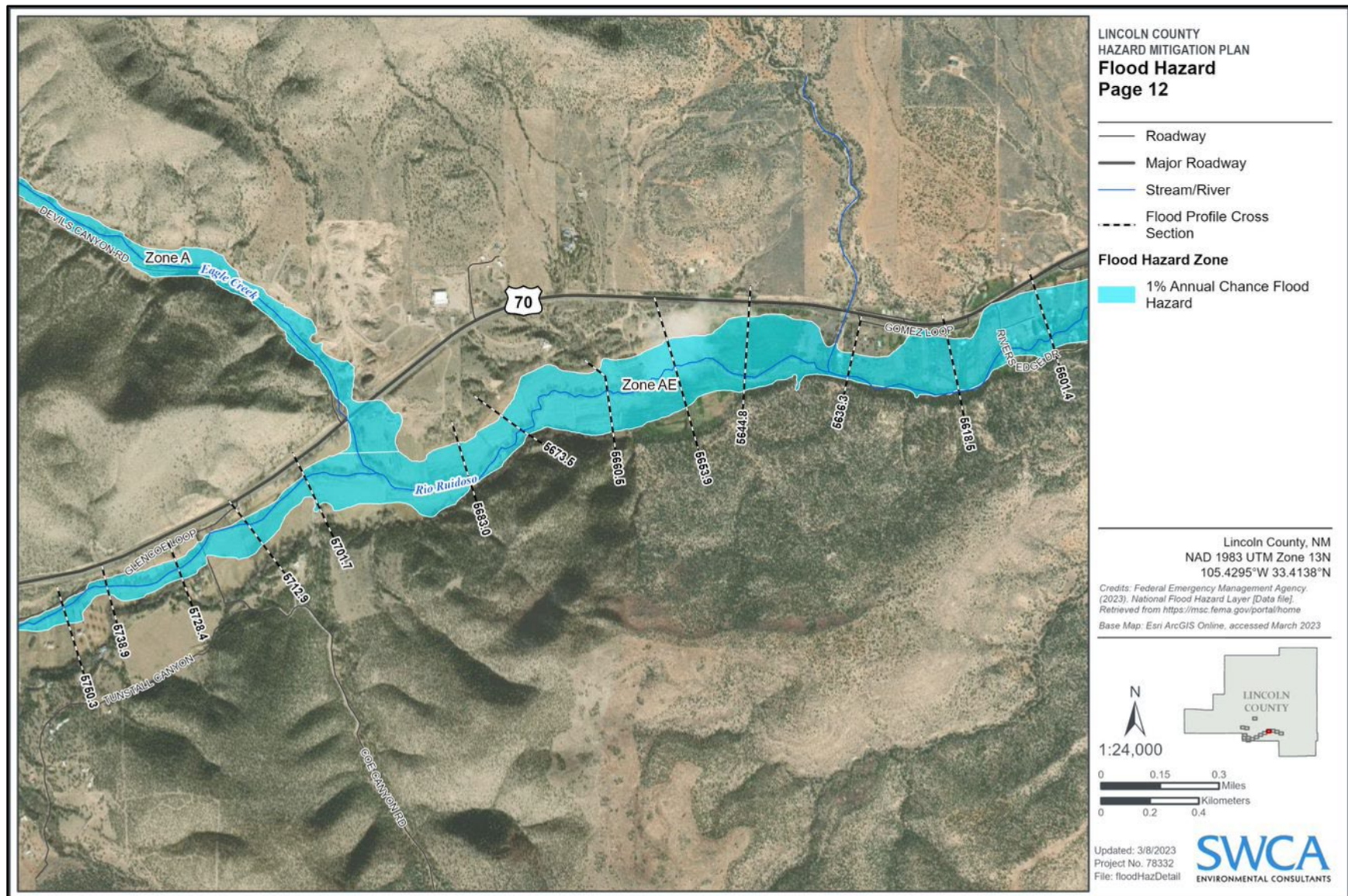


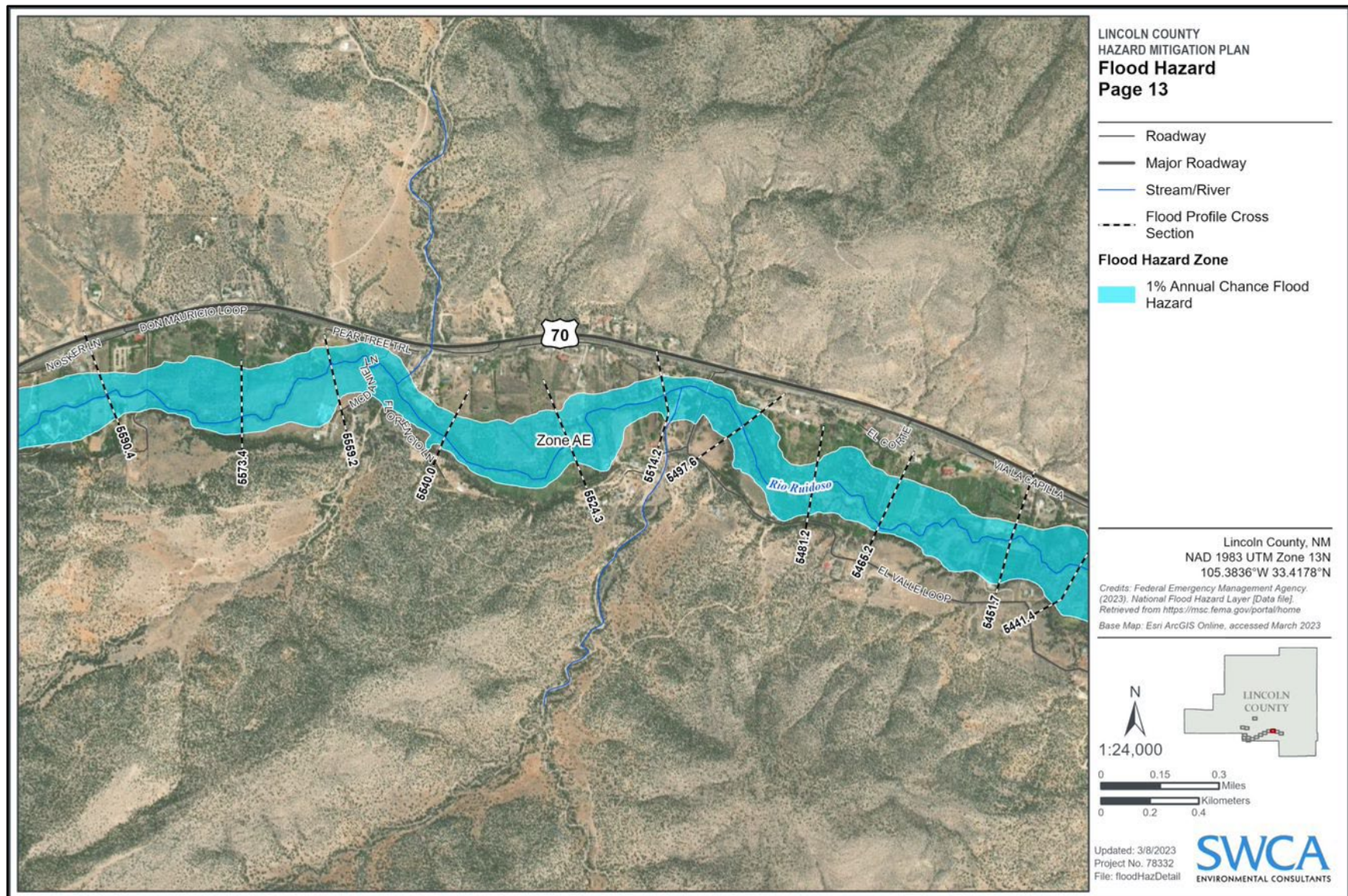


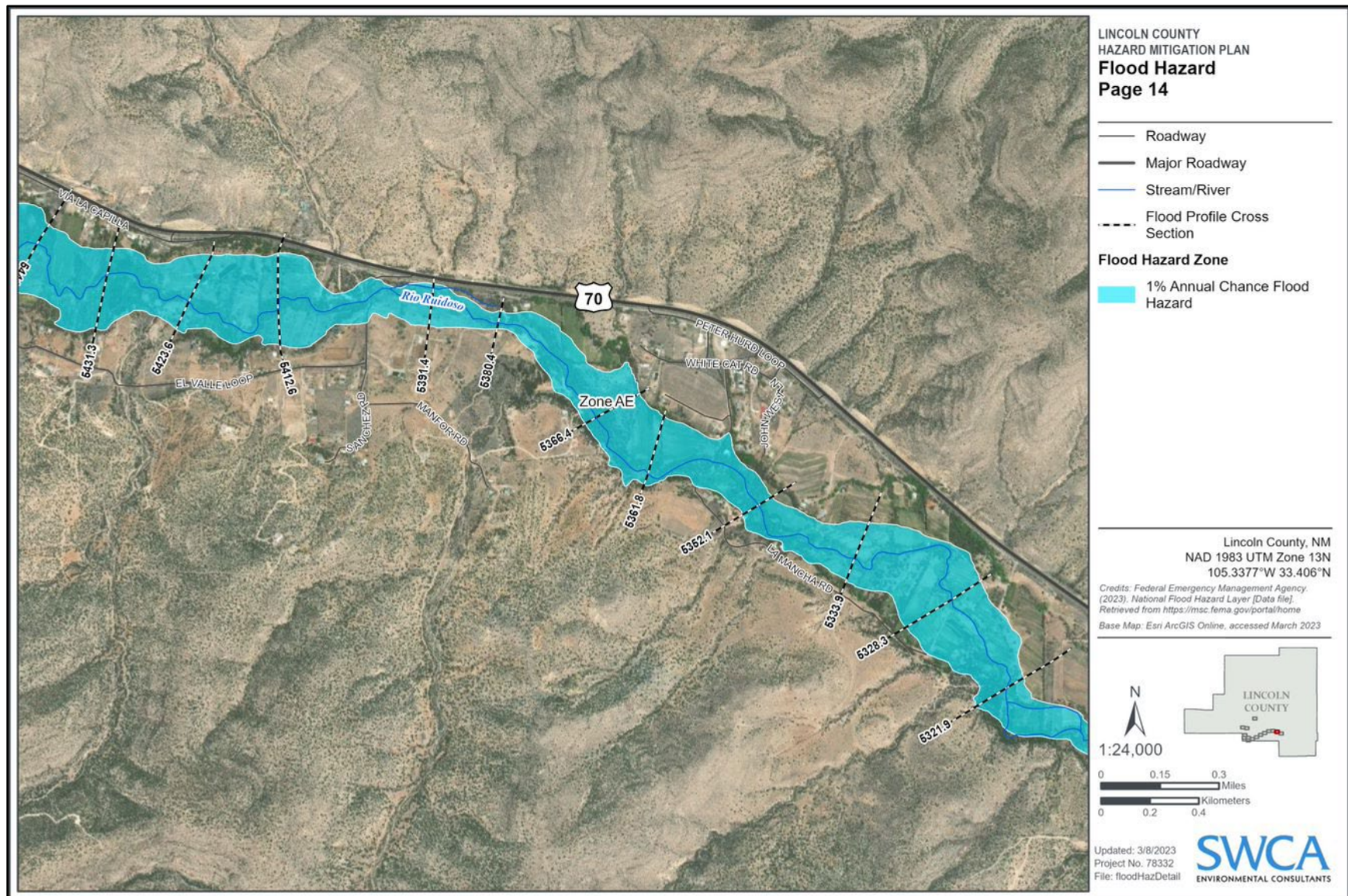


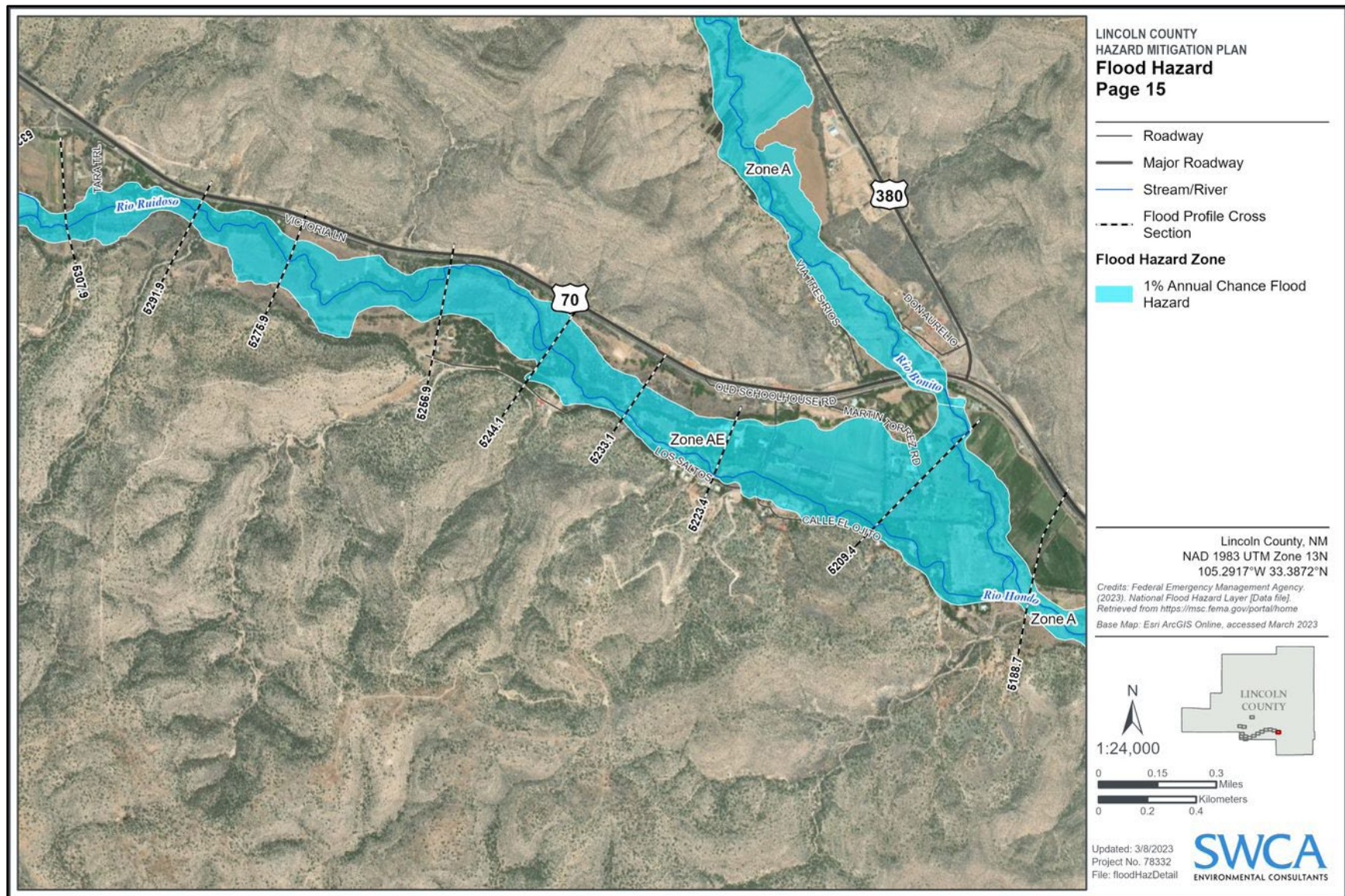












## **APPENDIX D**

### **Village of Ruidoso Fuels Ordinance**

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## VILLAGE OF RUIDOSO FUELS MANAGEMENT ORDINANCE

### Sec. 42-80. Fuels management standards.

The intent of these standards is to reduce the potential for a catastrophic crown fire within the village while preserving the forested appearance of the village. The goal is to retain a forest environment with a 40 square foot per acre minimum basal area density of mature trees. This translates to 40, 14-inch diameter trees per acre. When computing minimum required basal area, trees smaller than 14-inch diameter will be projected to grow to 14-inch diameter.

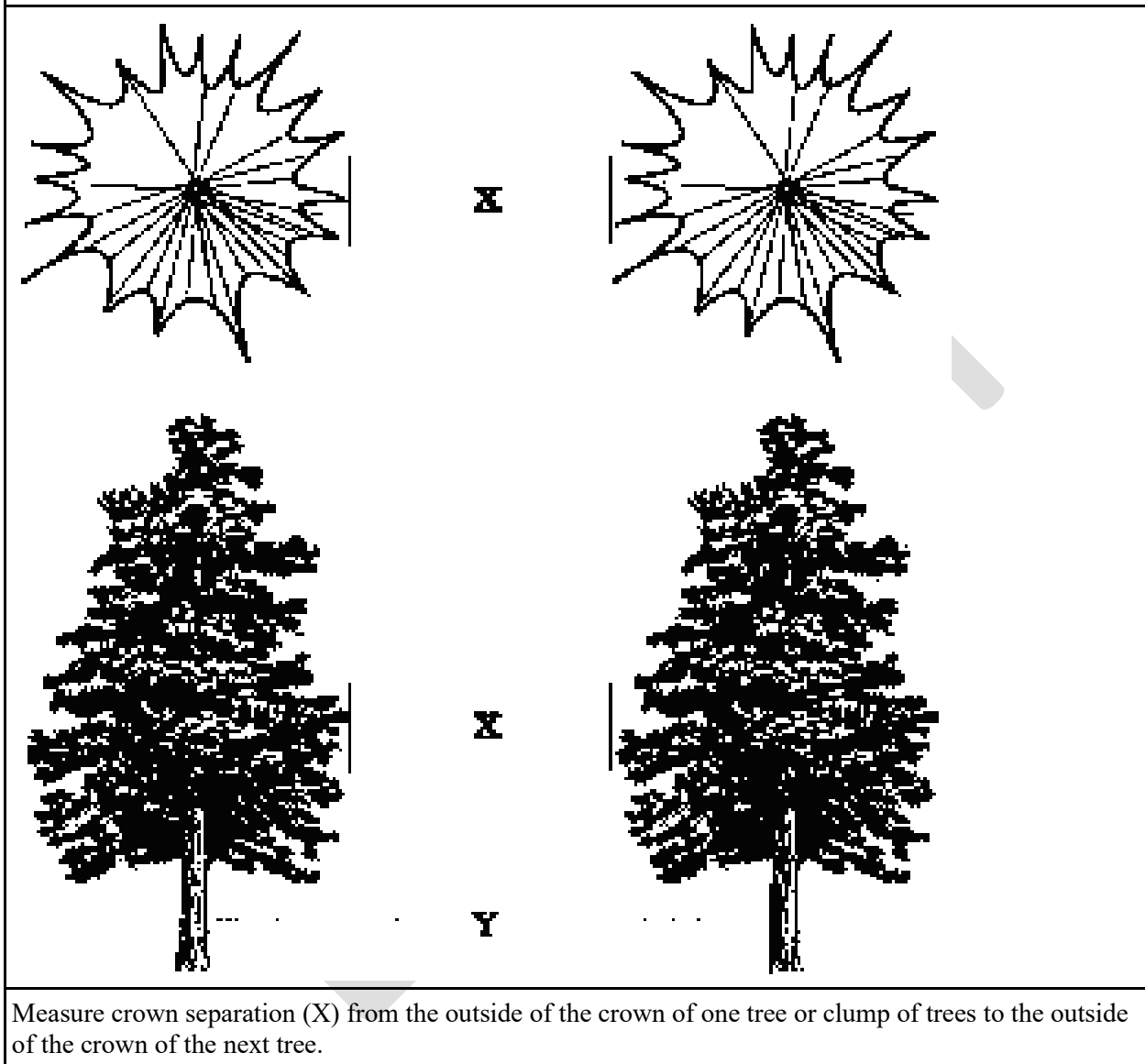
- (a) All properties shall meet the following requirements for each particular zone. Upon determination by the village that a property is in compliance, the village will issue a letter to the property owner. Initial thinning should normally last a period of ten years before ladder fuels and tree growth are sufficient to require a maintenance thinning. Maintenance activities such as pine needle raking and ladder fuel removal shall be conducted on a yearly basis. However, circumstances such as drought and bark beetle mortality can cause a property to deviate from these standards and become non-compliant. Should a property not be maintained or otherwise become non-compliant, the property owner will be notified to correct the problem and be given a timeframe for coming back into compliance. Should compliance not be obtained in the established timeframe, the property shall be designated non-compliant and the landowner of record will be assessed a fine, increase in billing, or other penalties that are in effect until such time as the property is again in compliance.
- (1) *Zone 1 Structure Protection (zero to ten feet from structure or deck).* This zone should be devoid of flammable vegetation as much as possible. Trees within this zone shall be considered a part of the structure and the zone extended accordingly.
  - a. Remove all non-decomposing pine needles, flammable ground materials and activity slash. Pine needles are to be raked and placed appropriately for Village removal.
  - b. Remove all ladder fuels including shrubs beneath the crown of conifers.
  - c. Separation between crowns is per chart 42-80 #2.
  - d. Maximum of five similar sized trees with overlapping crowns then there must be separation as per chart 42-80 #2.
  - e. Prune all species at least 15 feet above ground and, if tree height permits, ten feet above structure eave.
  - f. Ornamental spruce and planted tree-form conifers that can't be trimmed to structure eave shall be removed or modified through mitigation measures as approved by the Village of Ruidoso such as xeriscaping or vertical and horizontal spacing to reduce ignition risk.
  - g. Removal of any live tree greater than 20 DBH requires a permit.
  - h. No wood chips allowed except in planting beds.
  - i. No firewood stored unless covered by approved fire retardant cover.
  - j. No flammable construction material stored unless covered by fire retardant cover.
  - k. No standing dead trees allowed.
  - l. Grass and common weeds shall be trimmed low to ground or eliminated.
  - m. Planted vegetation shall be fire resistant and low growing.

- n. There shall be no low growing flammable vegetation such as juniper (including ornamental juniper).
  - o. Roofs and gutters shall be kept free of pine needles and other debris.
- (2) *Zone 2 Defensible Space (greater than ten feet up to 200 feet from structure or deck as dictated by slope chart 42-80 #3).* The intent of this zone is to reduce the threat to a structure from an advancing wildfire.
- a. Remove all non-decomposing pine needles, flammable ground materials and activity slash within 30 feet of a structure,
  - b. Remove all ladder fuels including brush beneath crowns.
  - c. Minimum crowns separation of trees or "clumps" (maximum five similar sized trees per clump) as per chart 42-80 #2.
  - d. Separation of brush species shall be as per chart 42-80 #2.
  - e. Pine needles and grasses on vacant properties adjacent to residences and within residential areas shall be removed on a yearly basis so as not to provide a continuous fuel source in the event of a wildfire.
  - f. Prune all species a minimum of ten feet from ground within 30 feet of structure or one third of tree height, whichever is less. Ornamental conifers such as Blue Spruce may be left untrimmed providing spacing and low ground fuels are maintained to minimize ignition potential.
  - g. Minimum ten feet recommended between planting beds.
  - h. Removal of any live tree greater than 20 inches DBH requires a permit.
  - i. No wood chips allowed except in planting beds within 30 feet of structure.
  - j. No firewood stacked within 20 feet of structures unless under approved fire retardant cover. All firewood must comply with the beetle habitat reduction requirements contained in subsection 54-133(c)(5)c. Firewood must be stacked with no more than two cords per stack.
  - k. No flammable conifers less than eave height within 20 feet of vents, windows or doors.
  - l. No standing dead trees within 60 feet of structure
- (3) *Zone 3 Forest Woodlands (from the end of zone 2 to the edge of the property).* This zone includes vacant lots and properties less than five acres in size. Where the property is within the defensible space of another property, zone 2 standards shall apply. This zone shall maintain an open forested appearance with well-spaced trees and openings. The zone should contain a variety of tree species of various ages. Groups of trees should be of similar ages and heights. Different groups will provide the multiple age structure and size structure.
- a. Remove all ladder fuels.
  - b. Separation shall be as per chart 42-80 #2.
  - c. Every effort shall be made to remove and utilize bole wood over six inches in diameter.
  - d. Trim all species to six feet or one-third the height of the tree, whichever is less, measuring from the uphill side of the tree. Insure that shorter tree groups are upwind of taller tree groups (acts as ladder fuel).

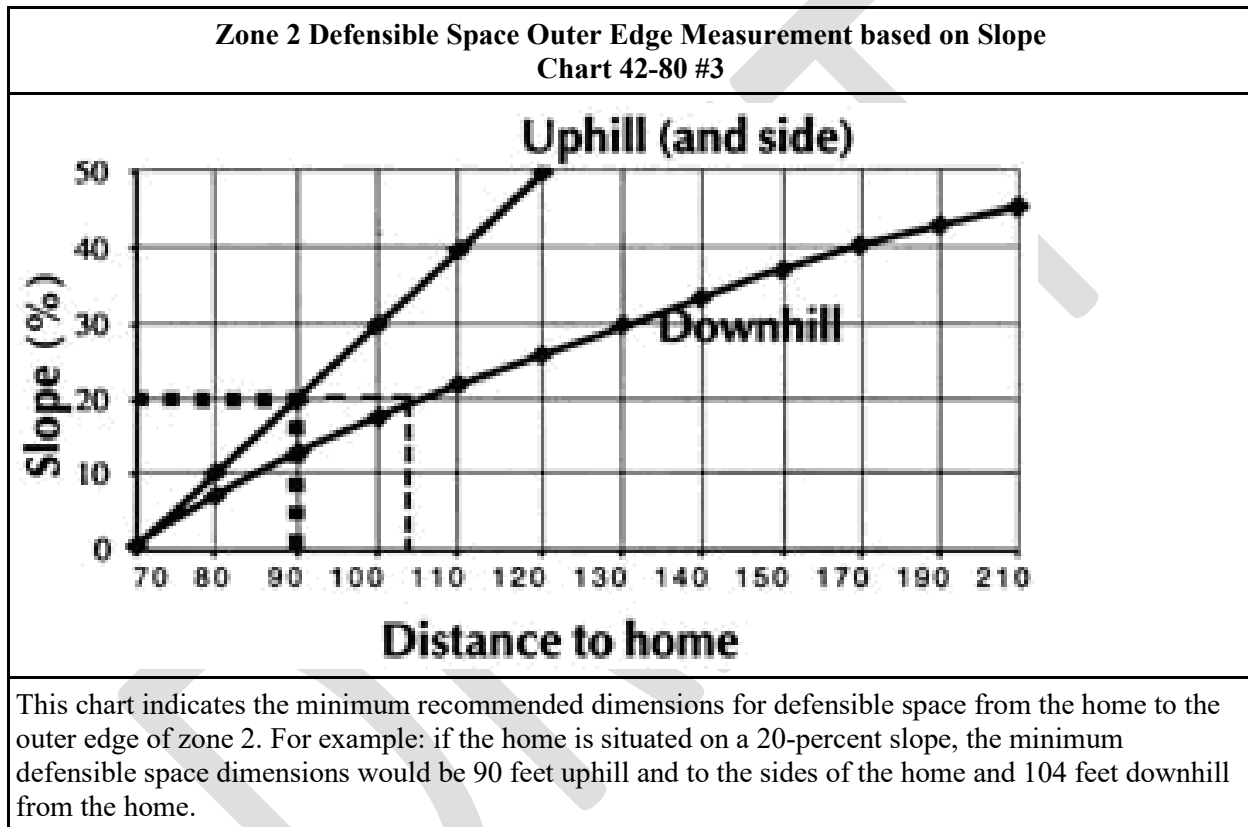
- e. Except when the property has a fuels management plan approved by the director of forestry, removal of any live tree greater than 20 DBH requires a permit.
  - f. Mastication and chipping of slash are allowed for slash disposal. Wood depth shall not exceed two inches. Bole wood over six inches in diameter shall be removed.
  - g. Where possible all slash shall be removed, masticated or chipped. On steep slopes or where access is limited, alternative fuels management slash treatments may be approved by the director of forestry.
  - h. Green wood retained for firewood shall be treated for beetle habitat per subsection 54-133(c)(5)c.
  - i. Up to three, 12-inch DBH or larger non-hazardous standing dead trees may be retained per acre for wildlife habitat. Recent beetle killed trees must be harvested and removed or treated as per subsection 54-133(c)(5)c.
  - j. All non-decomposing ground debris greater than five inches in diameter shall be removed, except up to five downed logs per acre greater than 12 inches in diameter may be retained for wildlife habitat.
- (4) *Large tracts (more than five acres with or without structures).* A fuels reduction plan shall be prepared and/or approved on a case by case basis by the director of forestry. Where structures are involved they shall be treated as in zones 1 and 2. The zone shall have an open forested appearance. These properties shall be treated with the intent to keep a wildfire on the ground to minimize spotting potential. The goal of treatment is to prevent a stand replacing crown fire. Some untreated areas may remain to meet agreed upon objectives providing there is sufficient treated area surrounding the untreated areas to mitigate crown fire spread.
- a. Treated areas of the properties shall have no ladder fuels.
  - b. Separation of trees shall be as per chart 42-80 #2 as near as possible. Modification of this Separation may be approved by the director of forestry to meet specific objectives.
  - c. Perimeter thinning shall be of sufficient width to prevent a sustainable crown fire from advancing to an adjacent property.
  - d. Every effort shall be made to remove and utilize bole wood over five inches in diameter. Bole wood not removed shall be felled along the contour or otherwise treated upon direction of the director of forestry.
  - e. Except when the property has a fuels management plan approved by the director of forestry, removal of any live tree greater than 20 DBH requires a permit.
  - f. Where possible, slash shall be treated with full removal, mastication or chipping. Lop and scatter may be used as a less desirable alternative.
  - g. If lop and scatter is allowed, slash shall be lopped and scattered to less than two feet in depth to accelerate decomposition. Lopped and scattered slash shall not be placed under the drip line of residual trees.
  - h. No standing dead trees are allowed within 150 feet of the property perimeter.
  - i. Trees shall be pruned where appropriate to meet objectives but may be left un-pruned if Separation is adequate to prevent fire movement from tree to tree.

- j. If a zone 4 property is used for a commercial purpose, a fuels management plan shall be developed in partnership with the landowner to meet the commercial objectives and manage fuels on the site. The signed plan will be an agreement between the director of forestry and the landowner for the certification period. If the director of forestry and the landowner cannot come to agreement, the matter will be presented to the planning and zoning commission for resolution.

**Crown Separation Measurement Diagram**  
**Chart 42-80 #1**



Minimum Tree Crown and Shrub Clump Separation Chart 42-80 #2			
Percent (%) Slope	Individual Tree Crown Separation	Tree Group Crown Separation	Brush and Shrub Clump Separation in feet
0-10 %	10'	15'	2½ times shrub height
11-20%	15'	20'	3 times shrub height
21-40%	20'	25'	4 times shrub height
40%	30'	35'	6 times shrub height



(Ord. No. 2002-04, 6-25-02; Ord. No. 2002-06, 6-25-02; Ord. No. 2004-04, 5-11-04; Ord. No. 2006-04, 6-27-06; Ord. No. 2013-06, 7-9-13; Ord. No. 2016-05, 3-8-16)

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## **APPENDIX E**

### **Acequia Listing**

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ACEQUIA LISTING FOR LINCOLN COUNTY

#	Acequia Name	Stream System	Total in System
<b>Rio Bonito</b>			
1	Bradstreet & Vorwerk Ditch	Rio Bonito	
2	Cruz De Jara Ditch	Rio Bonito	
3	Ditch No 2	Rio Bonito	
4	Elena Vigil Ditch	Rio Bonito	
5	Emil Fritz Spring Ditch	Rio Bonito	
6	F. Chavez Ditch (A.K.A. Dow)	Rio Bonito	
7	Fritz & Gonzales Ditch (A.K.A. Gonzales Ditch)	Rio Bonito	
8	Government Spring Ditch	Rio Bonito	
9	H. Fritz Spring Ditch	Rio Bonito	
10	Hulbert Spring Ditch	Rio Bonito	
11	Kirkland Ditch	Rio Bonito	
12	Las Chosas Ditch	Rio Bonito	
13	Lincoln Acequia Water Users	Rio Bonito	
14	Lincoln Ditch (A.K.A. Underground Ditch/ Lincoln Underground Ditch)	Rio Bonito	
15	Lutz Ditch	Rio Bonito	
16	North Laws Ditch	Rio Bonito	
17	Padilla Spring Ditch	Rio Bonito	
18	Protectora Ditch	Rio Bonito	
19	Providencia-Upper Providencia-Nicanora Ditch	Rio Bonito	
20	Sedillo Ditch (A/K/A La Fortuna)	Rio Bonito	
21	South Laws Ditch	Rio Bonito	
22	Titworth Ditch	Rio Bonito	
	<b>Total</b>	<b>Rio Bonito</b>	<b>22</b>
<b>Rio Hondo</b>			
1	Analla Spring Ditch	Rio Hondo	
2	Bloom Ditch	Rio Hondo	
3	Buck Guyse Ditch (A/K/A South Side Casey)	Rio Hondo	
4	Casey & Ramon Vigil Ditch	Rio Hondo	
5	Circle Diamond Ditch	Rio Hondo	
6	Diamond A Ditch	Rio Hondo	
7	F. & M. Analla Ditch	Rio Hondo	
8	High Line Ditch	Rio Hondo	
9	J. & P. Analla Ditch	Rio Hondo	
10	Kline Ditch	Rio Hondo	

#	Acequia Name	Stream System	Total in System
11	Main Ditch	Rio Hondo	
12	Michaelis Ditch	Rio Hondo	
13	Montano Ditch	Rio Hondo	
14	P. Chavez Spring Ditch	Rio Hondo	
15	Pablo Chavez Ditch	Rio Hondo	
16	Pas Torres Ditch	Rio Hondo	
17	Picacho Ditch	Rio Hondo	
18	Serrano Ditch	Rio Hondo	
	<b>Total</b>	<b>Rio Hondo</b>	<b>18</b>
<b>Rio Ruidoso</b>			
1	A. Sanchez Ditch	Rio Ruidoso	
2	A. Silva Ditch	Rio Ruidoso	
3	Ambrocio Chavez Ditch (This ditch combined with Pablo Chavez Ditch to become Ambrocio Chavez/ Pablo Chavez Ditch)	Rio Ruidoso	
4	Ambrocio Chavez Ditch No.1	Rio Ruidoso	
5	Analla and Barragan Ditch	Rio Ruidoso	
6	Avent Ditch	Rio Ruidoso	
7	Barragan & West Ditch, (A.K.A. Newcome)	Rio Ruidoso	
8	Bracken Ditch	Rio Ruidoso	
9	C. Hilbern Ditch	Rio Ruidoso	
10	Chosas Ditch North	Rio Ruidoso	
11	Chosas Ditch South (A/K/A Lower Chosas South)	Rio Ruidoso	
12	Drainage Ditch	Rio Ruidoso	
13	E. Silva Ditch	Rio Ruidoso	
14	F. Coe Ditch (North)	Rio Ruidoso	
15	F. Coe Ditch (South)	Rio Ruidoso	
16	F. Herrera Ditch South (A.K.A. Gomez Ditch)	Rio Ruidoso	
17	F. Hilbern Ditch	Rio Ruidoso	
18	F. Sanchez Ditch North	Rio Ruidoso	
19	F. Sanchez Ditch South	Rio Ruidoso	
20	F. Sanchez NO. 2 Ditch	Rio Ruidoso	
21	Frank Allison Ditch	Rio Ruidoso	
22	G. Coe Ditch	Rio Ruidoso	
23	Hale Ditch North	Rio Ruidoso	
24	Hale Ditch South	Rio Ruidoso	
25	Hale Ditch South Lateral ( <i>note: this might be Hale Ditch North</i> )	Rio Ruidoso	
26	Hewitt Ditch	Rio Ruidoso	

#	Acequia Name	Stream System	Total in System
27	J & P Analla Ditch	Rio Ruidoso	
28	J. Tully Ditch South	Rio Ruidoso	
29	J. V. Tully Ditch North	Rio Ruidoso	
30	L. Gallegos Ditch	Rio Ruidoso	
31	Leopoldo Gonzales Ditch	Rio Ruidoso	
32	Limacher Ditch	Rio Ruidoso	
33	Loterol Ditch	Rio Ruidoso	
34	Lower Chosas Ditch South (A/K/A Middle)	Rio Ruidoso	
35	Maxwell Ditch	Rio Ruidoso	
36	Mes Ditch	Rio Ruidoso	
37	Miller Ditch	Rio Ruidoso	
38	Mirabel & Norman Ditch	Rio Ruidoso	
39	P. Gallegos Ditch	Rio Ruidoso	
40	P. Gonzales Ditch	Rio Ruidoso	
41	Pope Ditch	Rio Ruidoso	
42	R. Coe Ditch	Rio Ruidoso	
43	R. Herrera Ditch	Rio Ruidoso	
44	San Patricio Ditch	Rio Ruidoso	
45	Storm Ditch	Rio Ruidoso	
46	Upper Chosas South Ditch	Rio Ruidoso	
	<b>Total</b>	<b>Rio Ruidoso</b>	<b>46</b>
<b>Total Acequias in Lincoln County</b>			<b>86</b>

Source: Earth Data Analysis Center (2023), in consultation with the New Mexico Acequia Association, and the Upper Hondo Soil and Water Conservation District.

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## **APPENDIX F**

### **Planning Team Meetings**

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## **APPENDIX G**

### **Community Outreach**

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## **APPENDIX H**

### **Evaluation and Status Form**

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# **LINCOLN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN EVALUATION AND ACTION STATUS FORM**

**January 2023 through June 2025**

**Instructions:** This Form is to be filled out and submitted by the jurisdiction's primary point of contact on the Planning Team as part of the preparation for the next Planning Team Meeting. It is to be submitted to the Lincoln County Emergency Manager and the Village of Ruidoso Emergency Manager in June 2025. *Note: This Word document will expand as you type your responses (include as descriptive a response as possible).*

**Your Name:**

**Jurisdiction:**

**Phone and email:**

**Date Form Completed:**

1. Planning Process (Section 3): What has been effective and what changes do you recommend? Consider and document:

- responsibilities and commitments of the Planning Team
- implemented public involvement activities
- decision maker or public support changes

Enter Response Here:

2. Hazard Identification and Risk Assessment (Section 5): What has changed that should be added to the hazard profiles and vulnerability assessment? Consider and document:

- hazard type, date, and impacts starting January 2023 (data collection ended December 2022 for the 2023 HMP)
- new sources of data, studies, or reference material
- changes in development trends or critical infrastructure that may impact risk

Enter Response Here:

3. Mitigation Strategy (Section 6): What capabilities have changed and what progress has been made on mitigation actions? Consider and document:

- changes to staffing, contract services, fiscal resources
- updated plans, policies, regulations
- individual action progress, accomplishments, challenges

Enter Response Here:

4. Plan Maintenance (Section 7): What has worked as expected and what changes do you recommend for the remainder of the planning cycle (through the 2028 HMP Update)? Consider and document:

- aspects of the 2023 HMP incorporated into other planning mechanism updates
- Planning Team responsibilities that were implemented
- recommended changes to the evaluation, maintenance, and update process

Enter Response Here:

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## **APPENDIX I**

### **Literature Cited**

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## **APPENDIX J**

### **Adoption Resolutions**

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## **APPENDIX K**

### **FEMA Approved Plan Review Tool**

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# AGENDA MEMORANDUM

## CITY OF RUIDOSO DOWNS

UNFINISHED BUSINESS - A.

**To:** Mayor Holman and Councilors

**Presenter(s):** Planning Services Director

**Meeting Date:** March 25, 2024

**Re:** Determination of Sara Sorenson, on behalf of herself, Will Sorenson, Charlie Sorenson, and Mike Sorenson Appeal of The Planning Commission Approval of P & Z Case 2023-11, Approving Conditional Use to allow for a Recreational Vehicle Park at the Property located in a C-2 Zoning District.

---

### **Item Summary:**

The Appeal of Conditional Use Case 2023-11 Recreational Vehicle Park packet is attached to show the details of the case.

The City of Ruidoso Downs Governing Body postponed this item at the February 26, 2024, Regular Meeting.

### **Financial Impact:**

None

### **Recommendations:**

To determine, the result of Sara Sorenson, on behalf of herself, Will Sorenson, Charlie Sorenson, and Mike Sorenson Appeal of The Planning Commission Approval of P & Z Case 2023-11, Approving Conditional Use to allow for a Recreational Vehicle Park at the Property located in a C-2 Zoning District.

### **ATTACHMENTS:**

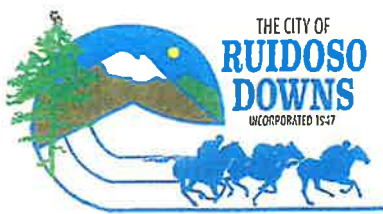
Description

Appeal of Conditional Use Case 2023-11 Recreational Vehicle Park

Appellant's Brief - Sorenson Heirs

CORD Statement Lazy RV

H. John Underwood to Council for P&Z case



# Application for Planning Commission Hearing

City of Ruidoso Downs  
Planning & Zoning Commission  
PO Box 348, 123 Downs Dr., Ruidoso Downs, NM 88346  
Phone: (575)378-1342 Fax: (575)378-4586

Case # 2024-1  
Fee \$: 0

## APPLICANT INFORMATION

### Property Owner:

Sara Sorenson (on behalf of herself, Will Sorenson, Charlie Sorenson, and  
Name: Mike Sorenson Phone #: (915) 546-8277

Mailing Address: 441 Lind Boulevard, Harwood, ND 58042

### If a business:

Name of Business: \_\_\_\_\_

Type of Business: \_\_\_\_\_ Business License #: \_\_\_\_\_

### If not owner, complete the following:

(Check one or more) \_\_\_\_\_ Applicant \_\_\_\_\_ Developer \_\_\_\_\_ Agent

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

## PROPERTY INFORMATION

Physical Address of Property: 26557 U.S. Highway 70, Ruidoso Downs, New Mexico

Zoning District: C2

Lot #: \_\_\_\_\_

Block: Tract 2-B

Subdivision: Section-15 Township-11S Range-14E

### Acknowledgement by Applicant:

I acknowledge that I have been informed of the next available dates, times and locations of the meetings of the Planning and Zoning Commission, and that my agent or I must attend in order to fulfill the requirements of this application. I understand and agree to provide all requested required documentation in conjunction with this application.

Applicants Signature: Sara Sorenson Date: 01/18/2024 22:35 UTC



# Application for Planning Commission Hearing

## CONDITIONAL USE REQUEST

☐ Request

☒ Appeal

No conditional use permit shall be given for a use which is not listed within the particular district in which the property is proposed to be located. The permit shall be granted for a particular use and not for a particular person. The permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required.

Conditional Use Request located in Zoning District: C2

Non-Conforming Conditional Use Request: ☐ Yes ☒ No

Reason(s) for request: See attached Appeal Explanation from Applicant

(Attach additional sheets if necessary.)

Documentation for hearing requirements:

\_\_\_\_\_: Letter of Intent; Give a detailed description of your request.

\_\_\_\_\_: Site Plan; Follow Zoning and Land Use §155.026 and application requirements.

\_\_\_\_\_: Fees; The fee assessed depending on the application request:

Check: \_\_\_\_\_ Cash: \_\_\_\_\_ Amount: \_\_\_\_\_

\_\_\_\_\_: Written permission from the property owner (if applicable)

\_\_\_\_\_: 16 copies are required by applicant for each of the following:

\*Letter of Intent

\*Application

\*Site Plan

*Sara Lorenson*

Property Owner's Signature

Applicant's or Agent's Signature



# Application for Planning Commission Hearing

FOR OFFICE USE ONLY:

## FLOOD INFORMATION

Community #350034 Panel 2080D/Map Effective Date: November 5, 2014

Flood Zone AE Finish Floor Elevation \_\_\_\_\_

Cutoff Date \_\_\_\_\_

Property Posting: \_\_\_\_\_

Legal Ad Ran: \_\_\_\_\_

Mailings of Notification: \_\_\_\_\_

P/Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_ (If appealed)

\_\_\_\_ Approved

\_\_\_\_ Denied

\_\_\_\_ Appealed

Date: \_\_\_\_\_

Filed with Lincoln County Clerk

\_\_\_\_\_  
Month/Day/Year

**\*PLANNING COMMISSION MEETINGS ARE HELD ON THE FIRST TUESDAY OF THE MONTH\***

minor adjustments to approved site plans where the amendment is in conformance with this chapter, and shall not include changes in use, conditional uses, variances, change of any nonconforming use to any other nonconforming use, and expansions of nonconforming uses. Amended site plans shall be subject to divisions (A) through (C) of this section. Site plan review by the Planning Officer shall include all items listed under divisions (B)(1)(a) through (g) of this section. Any amended site plan recommended for denial by the Planning Officer shall automatically be scheduled for review by the Planning Commission at the next possible meeting.

(H) *Minor variances.* Minor design standard variances may be granted by the concurrence of the Mayor, City Manager, Chairperson of the Planning Commission, and Planning Officer for site plans submitted and found by the Planning Officer to be in otherwise compliance with this section of this chapter. Variance to site plan requirements pursuant to this subsection shall include only minor adjustments to design standards and shall not include variances in use, conditional uses, change of any nonconforming use to any other nonconforming use, expansion of nonconforming uses, or property setbacks or variance to other district regulations as found in §§ 155.040 *et seq.* of this chapter.

(1988 Code, § 9-10-37)

#### **§ 155.027 CONDITIONAL USE PERMIT APPROVAL.**

(A) *Generally.* Certain uses, (as defined in § 155.040(C)), may, under certain circumstances, be acceptable. When such circumstances exist, a conditional use permit may be granted. The permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required. The permit shall be granted for a particular use and not for a particular person.

(B) *Application.* The person applying for a conditional use permit shall fill out and submit to the Planning Officer the appropriate form, together with

the required fee. The request for a conditional use permit shall follow the procedures and applicable requirements of § 155.026 which pertain to site plan review.

(C) *Notice of hearing.* A notice of hearing shall be mailed at least seven days prior to the Planning Commission meeting to each owner of property situated wholly or partly within 200 feet of the property to which the site plan relates. The Planning Officer shall be responsible for mailing such notices. For the purpose of giving mailed notice, the Planning Officer shall require the owner of the property affected to furnish the names and addresses of all property owners within 200 feet of the property boundary excluding rights of way and alleys.

(D) *Review and decision by Planning Commission.*

(1) No conditional use permit shall be given for a use which is not listed in this chapter as a conditional use in the particular district in which it is proposed to be located. "The Planning Commission shall consider the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions, including parking facilities, on adjacent streets and land, the impact upon the natural environment, and the effect of the proposed use upon the comprehensive plan. The Planning Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application. In reviewing conditional uses in residential areas, the Planning Commission shall consider particularly the response of adjoining property owners.

(2) Approval of conditional use permits shall require a two-thirds vote of the members of the Planning Commission present. If approved, the Commission shall be required to make findings supporting its decision. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval exist. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the date



## Envelope Data

Subject: Appeal Signature  
Documents: Conditional Use Application Appeal - Sorenson 4879-1210-2558 v1.pdf  
Document Hash: 39283005  
Envelope ID: ENV23456030-5986-BEFF-1592-DAAA  
Sender: Melissa Martin  
Sent: 01/18/2024 22:19 PM UTC  
Status: Completed  
Status Date: 01/18/2024 22:35 PM UTC

Access Authentication: None  
Email Access Code: Unchecked  
Email Verification: Not enabled



## Recipients / Roles

Name / Role	Email	Type
Melissa Martin	mmar@scotthulse.com	Sender
Sara Kaye Sorenson	sksorenson32@yahoo.com	Signer

## Document Events

Name / Roles	Email	IP Address	Date	Event
Melissa Martin	mmar@scotthulse.com	216.253.8.115	01/18/2024 22:19 PM UTC	Created
Sara Kaye Sorenson	sksorenson32@yahoo.com	64.33.104.226	01/18/2024 22:35 PM UTC	Signed
			01/18/2024 22:35 PM UTC	Status - Completed

## Signer Signatures

Signer Name / Roles	Signature	Initials
Sara Kaye Sorenson		



## Envelope Data

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Sender: Melissa Martin  
Sent: 01/18/2024 22:57 PM UTC  
Status: Completed  
Status Date: 01/18/2024 23:02 PM UTC

Access Authentication: None  
Email Access Code: Unchecked  
Email Verification: Not enabled


## Recipients / Roles

Name / Role	Email	Type
Melissa Martin	mmar@scotthulse.com	Sender
Sara Kaye Sorenson	sksoorenson32@yahoo.com	Signer

## Document Events

Name / Roles	Email	IP Address	Date	Event
Melissa Martin	mmar@scotthulse.com	216.253.8.115	01/18/2024 22:57 PM UTC	Created
Sara Kaye Sorenson	sksoorenson32@yahoo.com	64.33.104.226	01/18/2024 23:02 PM UTC	Signed
			01/18/2024 23:02 PM UTC	Status - Completed

## Signer Signatures

Signer Name / Roles	Signature	Initials
Sara Kaye Sorenson		

## REASON FOR APPEAL

As a result of our father's death this summer, we are owners of property adjacent to the proposed Lazy River RV Resort. The City of Ruidoso Downs Code of Ordinances do not allow for an RV resort in the location proposed. Moreover, the laws of the State of New Mexico do not permit an expansion of use of the easement across our property in order to facilitate this development. However, the City of Ruidoso Downs Planning and Zoning Commission granted the Conditional Use Permit, thereby allowing Lazy River RV Resort to proceed with development and expand the scope of the easement on our land. We appeal the decision on the following grounds.

Under the City Ordinances, "Recreational vehicle parks shall abut and have access from major arterial streets and shall be a minimum of two acres." (Emphasis added.) See City of Ruidoso Downs Code of Ordinance § 155.083(B)(1). Lazy River does not meet this requirement. The Lazy River park does not "abut" a major arterial street. The term "abut" is not defined by Code of Ordinances. Pursuant to § 155.006 thereof, "except as specifically defined in this chapter, all words used in this chapter shall have their customary dictionary definitions." Maryam Webster dictionary defines the term "abut" as "[t]o border on; to touch along an edge." Cambridge dictionary defines it as follows: "If a build or area of land abuts something or on something, it is next to it or touches it on one side." Britannica defines the term "abut" as "[t]o touch along an edge."

As evidenced by the plat attached hereto as Exhibit "A", the Lazy River park does not "abut" a major arterial street. Our property and the Lewicki property sit between the major arterial street (U.S. Highway 70) and the proposed Lazy River resort. The Existing Land Use Map in the Comprehensive Plan shows all RV Parks having direct access to and abutting Highway 70. In addition, the future land use scenario in the Comprehensive Plan does not include an RV park in either the location proposed or in any place not having direct access to and abutting Highway 70. The Ruidoso Downs Comprehensive Plan is "the City's primary policy making and 'road map' to guide decision-making concerning the location, character and rate of growth and development in Ruidoso Downs." See Comprehensive Plan, Introduction 1.1.

Despite all indications that the Conditional Use Permit should be denied based on the plain language of the City Ordinance, the Planning and Zoning Commission approved the Permit. One Planning Commissioner stated in the hearing that, despite the "unfortunate" use of the word "and" in the phrase "abut and have access from major arterial streets", he would vote to approve the permit. The Commission reasoned that the proposed Lazy River RV Park abuts U.S. Highway 70 because its guests can use a driveway easement across our family's property to access the RV park. However, this ignores the plain language of the Ordinance: Lazy River RV Park does not abut U.S. Highway 70; they merely claim a right of ingress and egress to and from because our property abuts the highway.

In addition to the proposed Lazy River RV park not abutting a major arterial road as required by the City Ordinances, the applicant will be trespassing across our property because the easement it claims a right to was never intended to be used for such purpose. It was never the intent of the original grantor of the easement to permit ingress and egress through a residential property by thousands of recreational vehicles per year to access a commercial RV Park. Indeed, the easement was granted almost twenty years prior to Excalibur's purchase of the property. The

Planning and Zoning Commission has now determined it has the unilateral authority to expand the scope of the easement. However, this conclusion is not supported by New Mexico law.

The Supreme Court of the State of New Mexico has held that “[a]n easement should be construed according to its express and specific terms as a manifestation of the intent of the parties.” *Sanders v. Lutz*, 109 N.M. 193, 194, 784 P.2d 12, 13 (1989). The plat creating the easement states only that it is a 30’ driveway and utility easement. It fails to state necessary terms such as who the easement is granted to (the “dominant estate holders”), the nature and purpose of the easement, and its duration. See *Dethlefsen v. Weddle*, 2012-NMCA-077, ¶ 19, 284 P.3d 452, 460 (court concluded the scope of an easement was ambiguous as a matter of law because it omitted necessary terms including (i) the nature and purpose of the easement; (ii) an identification of each of the dominant easement holders; and (iii) the duration of the easement.) New Mexico’s Supreme Court has held that, when the express terms of an easement are ambiguous, like they are in this case, the intent of the parties should be determined from the language of the granting instrument in conjunction with *the surrounding circumstances*. *Olson*, 118 N.M. at 498, 882 P.2d at 539. It was never the intent of the original grantor that the easement facilitates ingress and egress to and from an RV park comprising some 43 RV spots. Moreover, the historical use of the easement has been limited to infrequent, non-commercial vehicular activities. Since our family acquired the property in 2015, the easement has never been used for ingress and egress of motor homes or recreational vehicles to a commercial RV Park. A preference exists in New Mexico to narrowly construe rights created by an easement. *Walker v. United States*, 2007-NMSC-038, ¶ 49, 142 N.M. 45, 162 P.3d 882 The New Mexico Supreme Court has noted that the “law is jealous of easement claims, and the burden is on the party asserting such a claim to prove it clearly.” *Amoco Prod. Co. v. Sims*, 97 N.M. 324, 325, 639 P.2d 1178, 1179 (1981).

Excalibur has failed to prove that the scope of the easement was ever intended for recreational vehicle access to a commercial business. An easement cannot be assumed to do so just because the land is zoned commercial. Rather, courts have made clear that a driveway easement contemplates the use of personal vehicles, but that a separate assessment of the surrounding circumstances must be conducted to determine if the easement was intended for recreational and commercial use. See *Bailey v. Brasier*, No. A-1-CA-36554, 2021 WL 2809986, at \*3 (N.M. Ct. App. July 6, 2021) (despite recognizing an access easement was granted, the court stated “[w]hether Defendants may conduct commercial trucking, parking, and storage operations using this easement, however, is another matter.”) An assessment of the circumstances surrounding the easement makes clear that the easement was never intended, nor used, for the towing of recreational vehicles to and from a commercial RV park. As such, Excalibur will be trespassing on our property if they attempt to use the easement for this purpose.

As a policy matter, in adopting the ordinances requiring RV parks to “abut” a “major arterial street,” the City of Ruidoso Downs was wisely looking out for the health, safety, and welfare of its residents. Otherwise, if the City of Ruidoso Downs allowed an RV park (like Lazy River’s proposed park) in an area that does not abut a major arterial street, problems abound for not only the RV residents but also those whose property must be crossed to get to the RV park. With a proposed 43 RV spots, one can assume that several hundred people could be at this resort at any given time. Given that the low intensity easement is only 30-feet wide and around a curve, this would not very safely accommodate two large RVs passing each other on the easement. With

one way in and one way out, emergency services would not be able to adequately and safely access this resort. In case of evacuation, the curved 30-foot access easement would not be able to handle the traffic. So, it is understandable and appreciated that the City of Ruidoso Downs prohibits RV parks (like Lazy River's proposal) that do not "abut" a "major arterial street."

There are several other problems with the RV park proposal, which we will be happy to articulate at the hearing on this matter if necessary. The bottom line is that the City of Ruidoso Downs, in its wisdom, does not allow Lazy River to put an RV Park essentially in our backyard with access through our property because this would severely impact our health, safety, and welfare of our property. The proposed RV park does not "abut" a "major arterial street," which is required under the ordinances of the City of Ruidoso Downs. Moreover, the City's expansion of the easement across our property will violate our rights as property owners to limit the easement area to the specific use for which it was created. The Conditional Use Permit must be denied.

Sincerely,

Charlie, Sara, Mike and Will Sorenson

EXHIBIT "A"

PLAT OF PROPERTY

(Attached hereto.)

**LEGEND:**

- SET NO. 4 REBAR WITH CAP P.S. NO. 8877, BY THIS SURVEY.
- FOUND NO. 4 REBAR.
- FOUND NO. 5 REBAR.
- ⊙ FOUND U.S.D.A. MONUMENT.
- ⊙ FOUND REBAR WITH CAP P.S. NO. 4971.
- ⊙ "T" RAIL FOUND AS INDICATED.
- POWER POLE.
- FENCE.
- OVERHEAD UTILITY LINE.
- FLOWLINE.
- ( ) REFERENCE DOCUMENT LISTED HEREON.

**GRAPHIC SCALE**

100' 50' 25' 0' 100' 200'

Scale 1" = 100'

LINE	BEARING	DISTANCE
L-1	S71°43'37"W	46.67'
L-2	N75°52'09"E	47.18'
L-3	S33°33'21"W	48.02'
L-4	N33°38'42"E	46.04'
L-5	S66°50'12"W	45.58'
L-6	N29°01'24"W	81.72'
L-7	N29°00'09"E	82.00'
L-8	N02°44'58"E	43.94'
L-9	N22°30'31"W	102.78'

CURVE	RADIUS	ANGLE	CHORD	CHORD DIST.
C-1	137.89'	49°45'28"	119.75'	S08°40'37"W 116.02'
C-2	150'	45°33'07"	119.25'	N08°27'45"E 97.94'
C-3	85.08'	66°41'44"	103.69'	N10°50'21"E 97.94'

**APPROVAL BY UTILITY COMPANIES:** (Use Black Ink Only)

CHARTER COMMUNICATIONS: Sp Tech DATE 3/16/05

ZIA NATURAL GAS: Michael Dand DATE 3/16/05

VALOR FLOOM, LLC - TELEPHONE: Harold A DATE 3/16/05

OTERO COUNTY ELECTRIC CO-OP, INC.: James Dutton DATE 3-11-05

CITY OF RUIDOSO - WATER & SEWER: Dan Jones DATE 3-11-05

**REFERENCE DOCUMENTS:**

(Documents used to determine the boundary and to prepare the plat of survey can be found in the Office of County Recorder, County of Lincoln, State of New Mexico. Unless other wise specified.)

A. WARRANTY DEED FROM WAYNE WALLACE AND MARGARET WALLACE TO TOM LEWICKI AND STEPHANIE LEWICKI, RECORDED JULY 5, 1994, IN BOOK 1994-10, PAGES 120-121.

B. NEW MEXICO STATE HIGHWAY COMMISSION R/W MAP, PROJECT NO. AC-MP-070-4(25)284, SHEET 4 OF 67, IN THE RECORDS OF THE NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT, CITY OF SANTA FE, COUNTY OF SANTA FE, STATE OF NEW MEXICO.

C. EASEMENT (CORRECTION) BETWEEN THE JOINT USE BOARD FOR REGIONAL CONTROL OF WASTEWATER TREATMENT FACILITIES AND WESTERN SLOPE WASTE, INC., RECORDED JULY 26, 1980 IN BOOK 65 OF MISCL RECORDS, PAGES 183-194.

D. SEWER LINE EASEMENT FROM B.C. JONES TO R.L. CARTER RECORDED JUNE 9, 1983, IN BOOK 66 MISCL, PAGE 237.

E. AFFIDAVIT OF IDENTITY, THOMAS J. LEWICKI IS ONE AND THE SAME PERSON AS TOM LEWICKI, RECORDED JUNE 16, 1997, IN BOOK 1997-9, PAGES 482-483.

# LEWICKI LAND DIVISION AND GRANT OF EASEMENTS PLAT OF SURVEY

A TRACT OF LAND IN THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 14 EAST, OF THE NEW MEXICO PRINCIPAL MERIDIAN, IN THE CITY OF RUIDOSO DOWNS, COUNTY OF LINCOLN, STATE OF NEW MEXICO.

**OWNERS STATEMENT:**

WE THE UNDERSIGNED OWNERS AND PROPRIETORS HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS LAND DIVISION AND GRANT OF EASEMENTS TO BE PLATTED.

Tom Lewicki } SS  
TOM LEWICKI }  
COUNTY OF LINCOLN }  
STATE OF NEW MEXICO }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 14th DAY OF March, 2005, BY TOM LEWICKI AND STEPHANIE LEWICKI. MY COMMISSION EXPIRES: 02-08-09 Notary Public

**APPROVAL BY CITY OF RUIDOSO DOWNS OFFICIALS:**

THIS PLAT APPROVED THE CITY OF RUIDOSO DOWNS, NEW MEXICO UNDER SUMMARY PROCEDURE ON THIS 14th DAY OF March, 2005.

David Anderson PLANNING ADMINISTRATOR  
Barbara C.O.D. CHAIRMAN PLANNING & ZONING COMMISSION  
Barbara C.O.D. VICE CHAIRMAN PLANNING & ZONING COMMISSION

**NOTES:**

- BEARINGS OF THIS PLAT ARE BASED ON DATA DERIVED FROM GLOBAL POSITIONING SYSTEMS (GPS) EQUIPMENT.
- PROPERTY SUBJECT TO RESERVATIONS, EASEMENTS AND RESTRICTIONS OF RECORD.

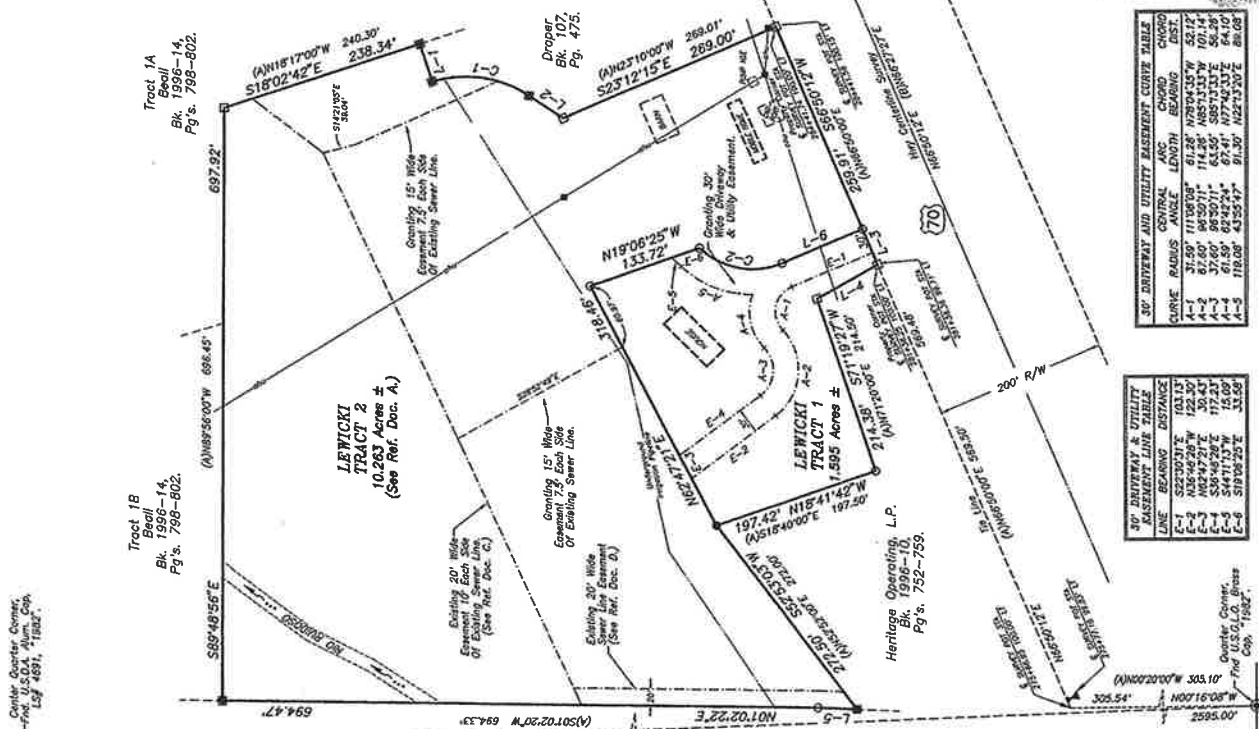
**SURVEYORS CERTIFICATE:**

I, ECTOR G. ALVARADO, NEW MEXICO PROFESSIONAL SURVEYOR NO. 8877, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR CONDUCTING NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ector G. Alvarado Mar. 8, 2005  
ECTOR G. ALVARADO, P.S. NO. 8877 DATE  
FIELD SURVEY DATE: FEBRUARY 4, 2005

FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, NEW MEXICO, ON THE 14th DAY OF MARCH, 2005, IN CABINET 11, SLIDE 26.2.

Thamalee J. Masados COUNTY CLERK  
RECEIVED NUMBER: 200-562399 FEE: \$9.00 TIME: 9:44 A.M.



Family of Fred Sorenson  
26555 U.S. Hwy. 70  
Ruidoso Downs, NM 88346

December 1, 2023

Re: Conditional Use Permit Hearing #2023-11

Ruidoso Downs Planning and Zoning Commission:

As a result of our father's death this summer, we are owners of property adjacent to the proposed Lazy River RV Resort. The ordinances of the City of Ruidoso Downs do not allow for an RV resort in the location proposed by Lazy River. The Conditional Use Permit must be denied.

Under the ordinances, "Recreational vehicle parks **shall abut** and have access from **major arterial streets** and shall be a minimum of two acres." (Emphasis added.) See City of Ruidoso Downs Ordinance § 155.083(B)(1). Lazy River does not meet this requirement. The Lazy River park does not "abut" a "major arterial street." "Abut" means "to border on; to touch along an edge." See Merriam-Webster.com <https://www.merriam-webster.com/dictionary/abut>. Under the ordinances, the term "arterial street" means "a major street of exceptional continuity that is intended to carry the greater portion of through traffic from one area of the City to another." § 155.006

As you can see from the site plan, the Lazy River park does not "abut" a "major arterial street." Our property sits between the major arterial street (U.S. Highway 70) and the proposed Lazy River resort. The conditional use permit must be denied under the plain language of the ordinances. Indeed, the Existing Land Use Map in the Comprehensive Plan shows all RV Parks having direct access to and abutting Highway 70. In addition, the future land use scenario in the Comprehensive Plan **does not** include an RV park in either the location proposed or in any place not having direct access to and abutting Highway 70. The Ruidoso Downs Comprehensive Plan is "the City's primary policy making and 'road map' to guide decision-making concerning the location, character and rate of growth and development in Ruidoso Downs." See Comprehensive Plan, Introduction 1.1.

In adopting the ordinances requiring RV parks to "abut" a "major arterial street," the City of Ruidoso Downs was wisely looking out for the health, safety, and welfare of its residents. Otherwise, if the City of Ruidoso Downs allowed an RV park (like Lazy River's proposed park) in an area that does not abut a major arterial street, problems abound for not only the RV residents but also those whose property must be crossed to get to the RV park.

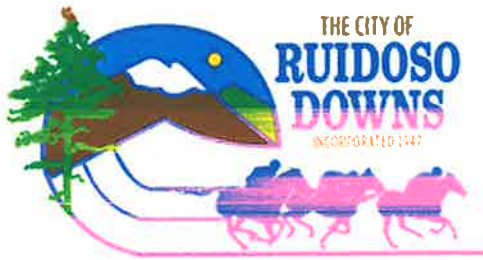
A 30-foot wide access easement connects the proposed resort to Highway 70 through our property. The easement was created at the time of subdividing the property when 2B was used as agricultural land. This is not a "major arterial street," as that term is used in the ordinances, but rather a low intensity easement without curbs, signs, speed limits, maintenance, weight restrictions, surface overlays, or any of the other protections of a "major arterial street." In requiring that all RV parks "abut" a "major arterial street," the City of Ruidoso Downs protected the safety of occupants of our residence from constant traffic through our property to access the RV park.

With a proposed 43 RV spots, one can assume that several hundred people could be at this resort at any given time. Given that the low intensity easement is only 30-feet wide and around a curve, this would not very safely accommodate two large RVs passing each other on the easement. With one way in and one way out, emergency services would not be able to adequately and safely access this resort. In case of evacuation, the curved 30-foot access easement would not be able to handle the traffic. So, it is understandable and appreciated that the City of Ruidoso Downs prohibits RV parks (like Lazy River's proposal) that do not "abut" a "major arterial street."

There are several other problems with the RV park proposal, which we will be happy to articulate at the hearing on this matter if necessary. The bottom line is that the City of Ruidoso Downs, in its wisdom, does not allow Lazy River to put an RV Park essentially in our backyard with access through our property because this would severely impact our health, safety, and welfare of our property. The proposed RV park does not "abut" a "major arterial street," which is required under the ordinances of the City of Ruidoso Downs. The Conditional Use Permit must be denied.

Sincerely,

Charlie, Sara, Mike, and Will Sorenson



January 19, 2024

Mike Sorenson  
441 Lind Boulevard  
Harwood, ND 58042

**Acknowledgement of Receipt of Appeal**

Dear Mr. Sorenson

This letter is to inform you that on January 18, 2024 the City of Ruidoso Downs received your appeal of the approval by the Planning and Zoning Commission of case 2023-11 of the request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

You will be receiving notification of the actual hearing date and time of the appeal hearing.

Sincerely,

Jennet Recendez  
Planning & Zoning Director



January 19, 2024

Sara Sorenson  
441 Lind Boulevard  
Harwood, ND 58042

**Acknowledgement of Receipt of Appeal**

Dear Ms. Sorenson,

This letter is to inform you that on January 18, 2024 the City of Ruidoso Downs received your appeal of the approval by the Planning and Zoning Commission of case 2023-11 of the request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

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Sincerely,

Jennet Recendez  
Planning & Zoning Director



January 19, 2024

Melissa L. Martin  
201 E. Main Dr., Suite 1100  
El Paso, TX 79901

**Acknowledgement of Receipt of Appeal**

Dear Ms. Martin,

This letter is to inform you that on January 18, 2024 the City of Ruidoso Downs received your appeal of the approval by the Planning and Zoning Commission of case 2023-11 of the request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

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Sincerely,

Jennet Recendez  
Planning & Zoning Director



January 19, 2024

Will Sorenson  
441 Lind Boulevard  
Harwood, ND 58042

**Acknowledgement of Receipt of Appeal**

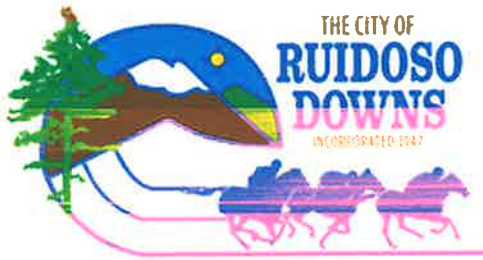
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Jennet Recendez  
Planning & Zoning Director



January 19, 2024

Charlie Sorenson  
441 Lind Boulevard  
Harwood, ND 58042

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Jennet Recendez  
Planning & Zoning Director

## Appeal to Council

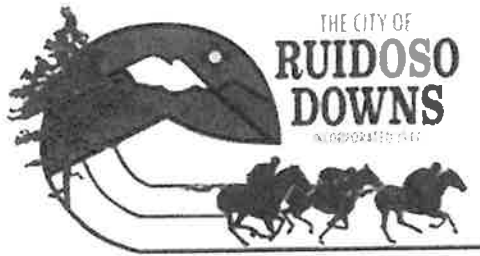
Planning and Zoning Case #2024-01 Sara Sorenson  
Recreational Vehicle Park Conditional Use  
Notification list within 200' radius

1. Sorenson Family  
26555, 26565 Hwy 70  
441 Lind Boulevard  
Harwood, ND 58042
2. Armijo, Alfred  
26571 Hwy 70  
1425 San Rafael Ave. NE  
Albuquerque, NM 87112
3. Villescascas, Alvino  
26573 Us Hwy 70  
Ruidoso Downs, NM 88346
4. Harvey, Robyn  
PO Box 8026  
Ruidoso, NM 88355
5. Gatrell, Cathy  
26530 Hwy 70  
PO Box 448  
Ruidoso Downs, NM 88346
6. Stirman, Karen  
26577 Hwy 70  
PO Box 866  
Ruidoso Downs, NM 88346
7. Lewicki, Tom & Stephanie  
26557 US Hwy 70  
PO BOX 2187  
Ruidoso Downs, NM 88346

**Date Mailed:** 1/25/24

**Mailed By:** Jennet Recendez

**Reviewed By:** Mary



January 24, 2024

Lewicki, Tom & Stephanie  
PO BOX 2187  
Ruidoso Downs, NM 88346

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Tom & Stephanie Lewicki,

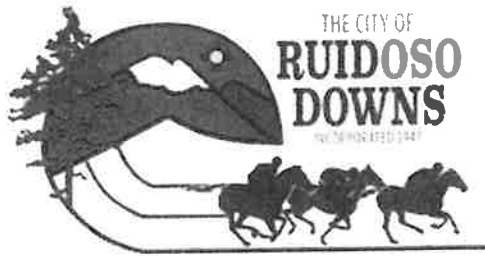
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Discussion and consideration for this appeal is scheduled at the **City Council Meeting on Monday at 2:00 PM, February 26, 2024 in the Council Chambers Room** in the Municipal Building located at 123 Downs Drive, Ruidoso Downs, New Mexico.

Property owners within a 200 ft radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments.

Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Sorenson Family  
441 Lind Boulevard  
Harwood, ND 58042

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Sorenson Family,

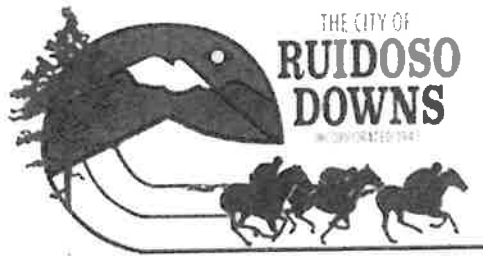
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Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Harvey, Robyn  
PO Box 8026  
Ruidoso, NM 88355

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Harvey Family,

The City of Ruidoso Downs has received an appeal for P&Z Case #2023-11, a request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

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Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Stirman, Karen  
PO Box 866  
Ruidoso Downs, NM 88346

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Karen Stirman,

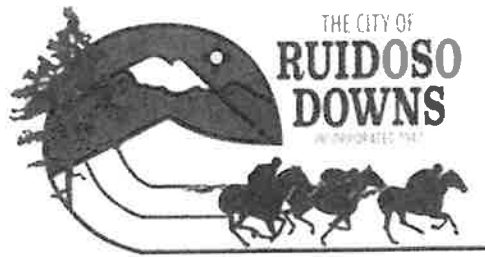
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Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Gatrell, Cathy  
PO Box 448  
Ruidoso Downs, NM 88346

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Cathy Gatrell,

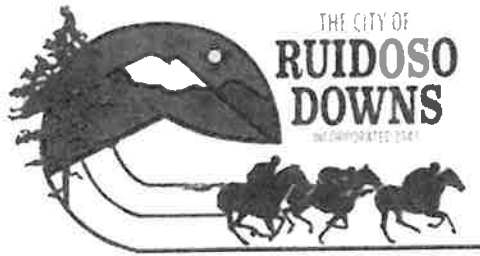
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Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Armijo, Alfred  
1425 San Rafael Ave. NE  
Albuquerque, NM 87112

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Alfred Armijo,

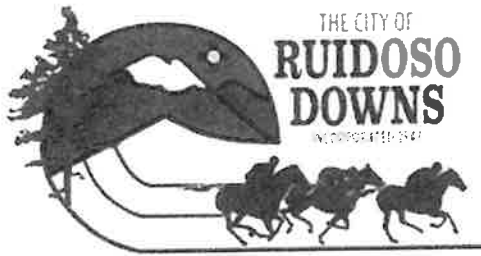
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Discussion and consideration for this appeal is scheduled at the **City Council Meeting on Monday at 2:00 PM, February 26, 2024 in the Council Chambers Room** in the Municipal Building located at 123 Downs Drive, Ruidoso Downs, New Mexico.

Property owners within a 200 ft radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments.

Sincerely,

Jennet Recendez  
Planning and Zoning, Director



January 24, 2024

Villescas, Alvino  
26573 Us Hwy 70  
Ruidoso Downs, NM 88346

**RE: P&Z Case #2024-01  
Appeal to City Council**

Dear Alvino Villescas,

The City of Ruidoso Downs has received an appeal for P&Z Case #2023-11, a request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

Discussion and consideration for this appeal is scheduled at the **City Council Meeting on Monday at 2:00 PM, February 26, 2024 in the Council Chambers Room** in the Municipal Building located at 123 Downs Drive, Ruidoso Downs, New Mexico.

Property owners within a 200 ft radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments.

Sincerely,

Jennet Recendez  
Planning and Zoning, Director

## **City of Ruidoso Downs**

### **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Governing Body of the City of Ruidoso Downs has schedule a Public Hearing for February 26, 2024 in conjunction with their regular scheduled meeting beginning at 2:00 p.m. at the Council Chambers, 123 Downs Drive, Ruidoso Downs, New Mexico.

The purpose of the public hearing is to hear the appeal of the Planning Commission's approval of P&Z case #2023-11, approving the request of a recreational vehicle park, located at 26557 US Highway 70.

Planning Appeal P&Z Case #2024-01, Ms. Sorenson Appellant. Deny the request to allow a recreational vehicle park located at 26557 US Highway 70 Planning Appeal P&Z Case #2024-01, Ms. Sorenson Appellant.

Members of the public may appear at the hearing, but evidence for or against the appeal must be provided prior to the Public Hearing. Anyone having questions concerning the appeal should contact the City of Ruidoso Downs Planning Services Department during regular business hours: Monday through Friday 8:00 a.m-5:00 p.m. at 123 Downs Drive, Ruidoso Downs, New Mexico, 88346, or (575) 378-1342.

WITNESS my hand and the seal of the City of Ruidoso Downs this 24th day of January, 2024.

(SEAL)

\_\_\_\_\_/S/\_\_\_\_\_  
Alejandra L. Giron, MMC  
City Clerk/Treasurer

**To: Legal Notice, Ruidoso News**

**From: Alejandra L. Giron, MMC**  
**City Clerk/Treasurer**

**Text of Ad:** 01/24/2024

**City of Ruidoso Downs  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Governing Body of the City of Ruidoso Downs has scheduled a Public Hearing for February 26, 2024 in conjunction with their regular scheduled meeting beginning at 2:00 p.m. at the Council Chambers, 123 Downs Drive, Ruidoso Downs, New Mexico.

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WITNESS my hand and the seal of the City of Ruidoso Downs this 24th day of January, 2024.

(SEAL)  
/s/ Alejandra L. Giron, MMC  
City Clerk/Treasurer  
#5876659, Ruidoso News,  
February 9, 2024

CITY OF RUIDOSO DOWN  
POBOX 348  
RUIDOSO DOWNS NM 88346-

<u>Account</u>	<u>AD#</u>	<u>Ordered By</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
1420059	0005876659	Jennet Recende	\$4.50	\$59.42	Invoice	\$0.00	\$59.42

**Order Created**      01/24/2024

Product	Placement	Class	# Ins	Start Date	End Date
ELP-RU News	ELP-Legals	Legal Notices	1	02/09/2024	02/09/2024
ELP-ruidosonews.com	ELPW-Legals	Legal Notices	1	02/09/2024	02/09/2024



# Application for Planning Commission Hearing

City of Ruidoso Downs  
Planning & Zoning Commission  
PO Box 348, 123 Downs Dr., Ruidoso Downs, NM 88346  
Phone: (575)378-1342 Fax: (575)378-4586

Case #  
Fee \$:

2023-11  
100.00

## APPLICANT INFORMATION

### Property Owner:

Name: Excalibur Oilfield Services, LLC Phone #: 505-228-4454

Mailing Address: P.O. Box 507, Eunice, NM 88231

### If a business:

Name of Business: Lazy River RV Resort

Type of Business: RV Park Business License #:

### If not owner, complete the following:

(Check one or more) ☐ Applicant ☐ Developer ☐ Agent

Name: Phone #:

Mailing Address:

## PROPERTY INFORMATION

Physical Address of Property: 26557 US-70

Zoning District: C2

Lot #: Located in the SW4SE4

Block: Tract 2: Being a tract of land

Subdivision: Section-15 Township-11S Range-14E

### Acknowledgement by Applicant:

I acknowledge that I have been informed of the next available dates, times and locations of the meetings of the Planning and Zoning Commission, and that my agent or I must attend in order to fulfill the requirements of this application. I understand and agree to provide all requested required documentation in conjunction with this application.

Applicants Signature: [Signature]

Date: 10/24/2023

**\*PLANNING COMMISSION MEETINGS ARE HELD ON THE FIRST TUESDAY OF THE MONTH\***



# Application for Planning Commission Hearing

## CONDITIONAL USE REQUEST



Request



Appeal

No conditional use permit shall be given for a use which is not listed within the particular district in which the property is proposed to be located. The permit shall be granted for a particular use and not for a particular person. The permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required.

Conditional Use Request located in Zoning District: C2

Non-Conforming Conditional Use Request: ☐ Yes ☒ No

Reason(s) for request: Requesting a permit to construct an RV park.

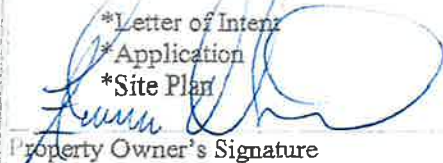
(Attach additional sheets if necessary.)

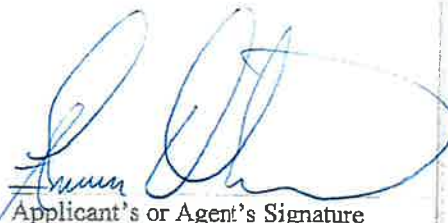
Documentation for hearing requirements:

- ☒ : Letter of Intent; Give a detailed description of your request.
- ☒ : Site Plan; Follow Zoning and Land Use §155.026 and application requirements.
- ☒ : Fees; The fee assessed depending on the application request:

Check: ☒ Cash: \_\_\_\_\_ Amount: \_\_\_\_\_

\_\_\_\_\_: Written permission from the property owner (if applicable)

\*Letter of Intent  
\*Application  
\*Site Plan  
  
Property Owner's Signature

  
Applicant's or Agent's Signature

**\*PLANNING COMMISSION MEETINGS ARE HELD ON THE FIRST TUESDAY OF THE MONTH\***



# Application for Planning Commission Hearing

FOR OFFICE USE ONLY:

## FLOOD INFORMATION

Community #350034 Panel 2080D/Map Effective Date: November 5, 2014

Flood Zone A# Finish Floor Elevation NIA

Cutoff Date \_\_\_\_\_

Property Posting: \_\_\_\_\_

Legal Ad Ran: \_\_\_\_\_

Mailings of Notification: 1/22/23

P/Z Meeting Date: Jan 3, 2024

Council Meeting Date: 2/26/24 (If appealed)

☒ Approved

☐ Denied

☐ Appealed

Date: 1/3/24

Filed with Lincoln County Clerk

\_\_\_\_\_  
Month/Day/Year

\*PLANNING COMMISSION MEETINGS ARE HELD ON THE FIRST TUESDAY OF THE MONTH\*



Lazy River RV Resort  
P.O. Box 507  
Eunice, NM 88231

City of Ruidoso Downs  
Response to Application Hearing on 12/05/2023

Dear City of Ruidoso Downs:


During the last planning and zoning meeting on 12/05/2023 there were questions brought forward by the adjoining property owner about the right to use the established easement. This letter is to clarify some of the questions and misconceptions as established in the 2020 New Mexico Statutes Chapter 47 – Property Law Article 5.

First and foremost, the property in question was at one time a section of land owned by the same person. This lot was later subdivided into Tract 1, Tract 2-A, and Tract 2-B. The property in question here is Tract 2-B for which the property easement consisting of a 30-foot Easement was created and clearly depicted in, "A Replat of Lewicki Land Division, Tract 2, Ruidoso Downs, New Mexico". As defined in the New Mexico Statutes it is necessary to detail the following definitions about the property in question:

*The servient estate is the real property burdened by the easement - the property over which the easement runs. The dominant estate is the property benefited by the easement - the property that is served by the easement. Once an easement is created, the owner of the land is the servient tenant and the easement holder is the dominant tenant. Potter v. Northern Natural Gas Co., 201 Kan. 528, 530-31, 441 P.2d 802 (1968). "...the holder of the easement must own the dominant estate; the benefits of the easement must be realized by the owner of the dominant estate; and these benefits must attach to possession of the dominant estate and inhere to and pass with the transfer of the title to the dominant estate. Newman v. Michel, Supreme Court of Appeals of West Virginia, Civil Action No. 05-C-0316 (2009)*

Having defined the easement terminology, it is possible to understand the Lazy River RV Resort is the dominant estate and by law has full access and right to use the granted easement. The access easement can then be considered as being part of tract 2-B which can then be considered abutting and having access from major arterial streets.

A point that needs to be emphasized and made very clear and can be found on the attached documents is that during the sale the property was openly advertised as being "perfect for and RV Park". Now, the Servient Estate does not want to acknowledge this. Yet, under the New Mexico Statutes it is against the law and can be a Felony to advertise property falsely as per below.



1. **47-5-6. Fraud; penalty.**

- a. Any officer, agent or employee of any firm or corporation, or any other person who knowingly authorizes or assists in the publication, advertising, distribution or circulation of any false statement or representation concerning any subdivided land offered for sale or lease, and any person, firm or corporation who, with knowledge that any written statement relating to the subdivided land is false or fraudulent, issues, circulates, publishes or distributes it in this state, is guilty of a felony and shall be punished [punished] by imprisonment for not more than five years, or by a fine of not more than one hundred thousand dollars (\$100,000), or both.

**History:** 1953 Comp., § 70-3-6, enacted by Laws 1963, ch. 217, § 6.

The following citations are from the, "2020 New Mexico Statutes Chapter 47 – Property Law Article 5 – Subdivisions Generally Section 47-5-3 – [Approval of plat by county commission prior to sale.] and are relevant to this case. Both of items below have been met and can be seen on the plat created November 2022 which was created to grant the easement for Tract 2B.

1. **Universal Citation:** [NM Stat § 47-5-3 \(2020\)](#)

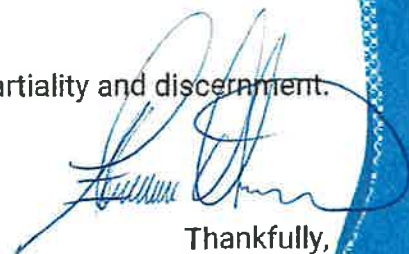
- a. It shall be unlawful to sell, offer to sell, lease or offer to lease to the public subdivided land as defined hereinabove until a plat of such subdivided land being sold has been approved by the county commission wherein such land is situate; and until legal access from an existing public way and to each lot offered for sale or lease has been dedicated and accepted by the appropriate county commission.

**History:** 1953 Comp., § 70-3-3, enacted by Laws 1963, ch. 217, § 3.

2. **Access shown on plat and dedicated when plat approved.** — This section contemplates that the road furnishing legal access be shown on the plat of the subdivision and become a dedicated road when the plat is approved by the county commission. 1964 Op. Att'y Gen. No. 64-05.

Therefore, Lazy River RV Resort being the Dominant Estate requests that this conditional use permit be granted, being that everything has be performed according to the law.

Thank you for your impartiality and discernment.



Thankfully,

Edgar Ontiveros  
Lazy River RV Resort

505-228-4454



Lazy River RV Resort  
P.O. Box 507  
Eunice, NM 88231

10/24/2023

City of Ruidoso Downs

Application for Planning Commission Hearing

**Dear City of Ruidoso Downs:**

This letter of intent is to request the Planning and Zoning Commission to grant Lazy River RV Resort a permit to build an RV Resort in the beautiful City of Ruidoso Downs. We have managed to purchase a spectacular piece of property on 26557 US 70 down next to the river.

Our goal is not only to build an RV Resort that is built to meet and exceed all codes and regulations but to provide an exceptional place for people to come and enjoy what The City of Ruidoso Downs has to offer. As you will be able to see from our site plan, our RV Resort is very spacious as we have left much of the property undeveloped along with the pond on the property so that people may enjoy the beauty of nature.

Instead of packing the 8+ acres with RVs to increase our revenue, we have only used approximately 2 acres of land for the park and the rest will be left for the enjoyment of the tenants. We want people to truly come out and enjoy, that is why we will leave the vast majority of the mature trees and natural landscaping with lighting only as needed so that every aspect can be enjoyed from the enjoyment of the night skies to the flora and fauna that is offered.

Sincerely,

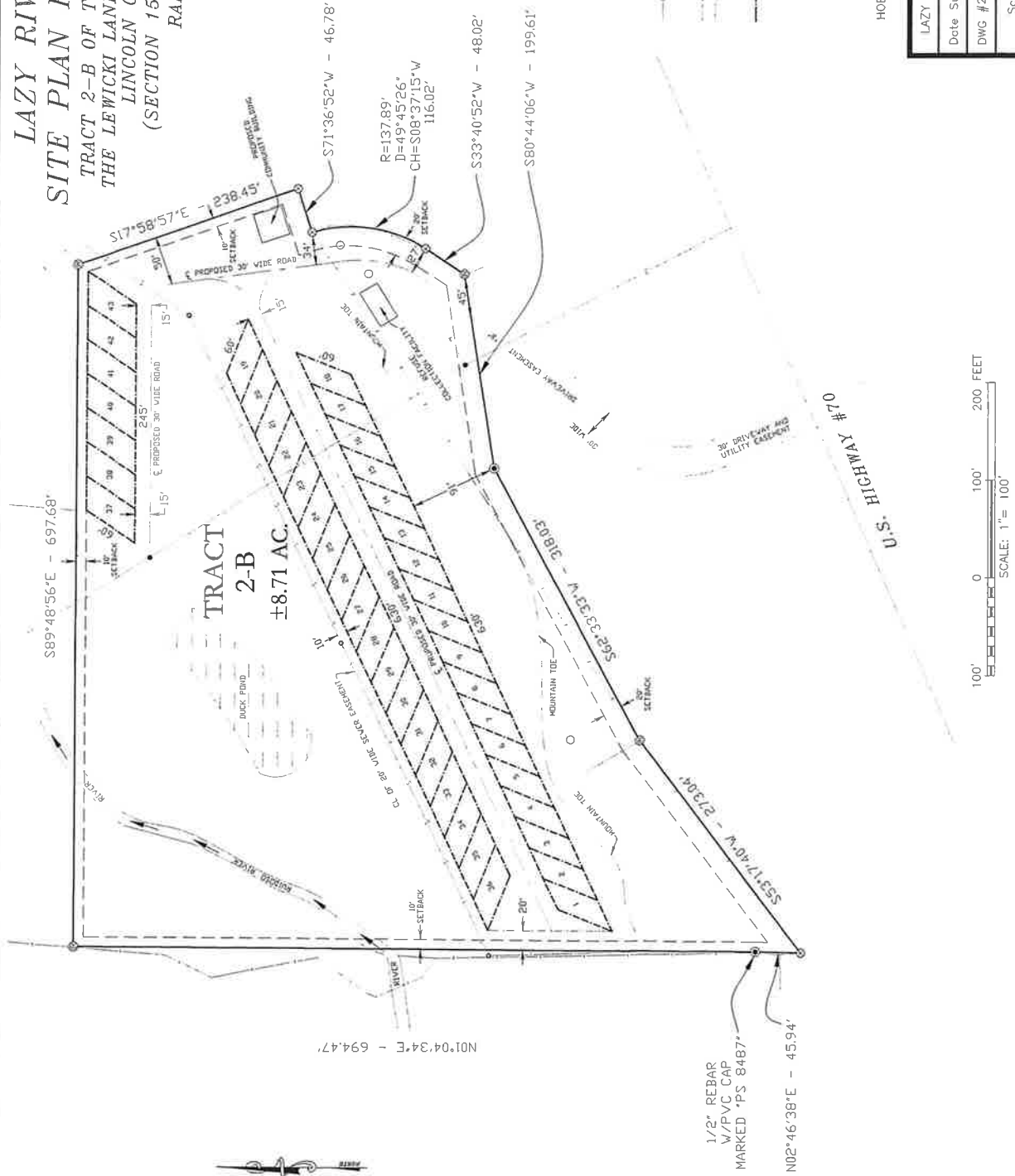


Edgar Ontiveros



# LAZY RIVER RV RESORT SITE PLAN FOR CONSTRUCTION

## TRACT 2-B OF THE REPLAT OF TRACT 2 OF THE LEWICKI LAND DIVISION, RUIDOSO DOWNS, LINCOLN COUNTY, NEW MEXICO (SECTION 15, TOWNSHIP 11 SOUTH, RANGE 14 EAST)



Asel Surveying, LLC

P.O. BOX 393 - 310 W. TAYLOR  
HOBBS, NEW MEXICO - 575-393-9146

LAZY RIVER RV RESORT	Work Order #240118PS
Date Surveyed: 10/06/2023	Surveyed by: BHC
DWG #240118PS.dwg	Drafted By: KA
Scale: 1" = 100'	Sheet 1 of 1

**COMMITMENT FOR TITLE INSURANCE ISSUED  
BY  
COMMONWEALTH LAND TITLE INSURANCE COMPANY**

**NOTICE**

**IMPORTANT—READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

**COMMITMENT TO ISSUE POLICY**

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Commonwealth Land Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

**COMMITMENT CONDITIONS**

**1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.



- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
  - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
  - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
  - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
  - (b) the Commitment to Issue Policy;
  - (c) the Commitment Conditions;
  - (d) Schedule A;
  - (e) Schedule B, Part I—Requirements; and
  - (f) Schedule B, Part II—Exceptions; and
  - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.
4. **COMPANY'S RIGHT TO AMEND**  
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
5. **LIMITATIONS OF LIABILITY**
- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
    - (i) comply with the Schedule B, Part I—Requirements;
    - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
    - (iii) acquire the Title or create the Mortgage covered by this Commitment.
  - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
  - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
  - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
  - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
  - (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
  - (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.
6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
  - (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.



- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

Countersigned: \_\_\_\_\_

Authorized Signatory  
Land Titles of Ruidoso, LLC

COMMONWEALTH LAND TITLE INSURANCE COMPANY



By: [Signature]  
Agent



## Commonwealth Land Title Insurance Company

*"Pursuant to the New Mexico Title Insurance Law NMSA 1978 Section 59A-30-4, control and supervision by superintendent and title insurance regulation 13.14.18.10 NMAC, no part of any title insurance commitment, policy or endorsement form may be added to, altered, inserted in or typed upon, deleted or otherwise changed from the title insurance form promulgated by the New Mexico superintendent of insurance, nor issued by a person or company not licensed with regard to the business of title insurance by the New Mexico superintendent of insurance, nor issued by a person or company who does not own, operate or control an approved title abstract plant as defined by New Mexico law and regulations for the county wherein the property is located."*

### Transaction Identification Data for reference only:

Issuing Agent: Land Titles of Ruidoso, LLC, dba The Title Company

Issuing Office: 508 Mechem Dr, Ruidoso NM 88345

Commitment Number: 46599

Issuing Office's ALTA® Registry ID: 0003600

Issuing Office File Number: 46599

Loan ID Number:

Revision Number:

Property Address: 26557 HWY 70, RUIDOSO DOWNS, NM 88346

### SCHEDULE A

1. **Commitment Date:** September 11, 2023 at 8:00 A.M.

2. **Policy or policies to be issued:** Amount

(a) **2006 ALTA® Owner's Policy** \$575,000.00

**Proposed Insured:**

EDGAR ONTIVEROS and NOEL OMAR ONTIVEROS

(b) **2006 ALTA® Loan Policy** \$0.00

**Proposed Insured:**

3. **The estate or interest in the land described or referred to in this Commitment is:** Fee Simple

4. **The Title is, at the Commitment Date, vested in:**

TOM LEWICKI and STEPHANIE LEWICKI, husband and wife, as Joint Tenants

5. **The Land is described as follows:**

SEE EXHIBIT A ATTACHED HERETO

Land Titles of Ruidoso, LLC

By: 

**Authorized Officer or Agent**


This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by the Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule A

**EXHIBIT A**

**Tract 2-B, as shown by the Replat of LEWICKI LAND DIVISION, TRACT 2, located in Section 15, Township 11 South, Range 14 East, N.M.P.M., Ruidoso Downs, Lincoln County, New Mexico, as shown by the Replat filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, November 14, 2022, in Book C-K, page 624.**

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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule A

## SCHEDULE B, Part 1 – Requirements

FILE NO: 46599

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Record properly executed Warranty Deed from TOM LEWICKI and STEPHANIE LEWICKI, husband and wife, to EDGAR ONTIVEROS and NOEL OMAR ONTIVEROS, each showing marital status.

*TR*  
**NOTICE:** Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by the Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule BI


**SCHEDULE B, PART II**  
**Exceptions**

Standard exceptions 1, 2, 3 and/or 4 may be deleted from any policy upon compliance with all provisions of the applicable rules, upon payment of all additional premiums required by the applicable rules, upon receipt of the required documents, and upon compliance with the company's underwriting standards for each such deletion. Standard exception 5 may be deleted from the policy if the name insured in the case of an owner's policy, or the vestee, in the case of a leasehold or loan policy, is a corporation, a partnership, or other artificial entity, or a person holding title as trustee. Except for the issuance of a U.S. policy form (NM form 7 or NM form 34), any policy to be issued pursuant to this commitment will be endorsed or modified in Schedule B by the company to waive its right to demand arbitration pursuant to the conditions and stipulations of the policy at no cost or charge to the insured. The endorsement or the language added to Schedule B of the policy shall read: "In compliance with Subsection G of 13.14.18.10 NMAC, the company hereby waives its right to demand arbitration pursuant to the title insurance arbitration rules of the American land title association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the company and the insured."

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any lien, claim or right to a lien, for services, labor or materiel heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Community property, survivorship, or homestead rights, if any, of any spouse of the insured (or vestee in a leasehold or loan policy).
6. Water rights, claims or title to water.
7. Taxes for the year 2023 and thereafter.

 This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by the Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule BII

**SCHEDULE B, PART II**  
**Exceptions**

8. Defects, liens, encumbrances, adverse claims or other matters, if any, created first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
9. Taxes or assessments which are not shown as existing liens by the public record.
10. All interest in and to all of the oil, gas, coal and other minerals, and all rights incident thereto.
11. Reservations contained in the United States Patent recorded in Patent Book A-4, page 140, in the office of the County Clerk of Lincoln County, New Mexico.
12. Easement in favor of THE VILLAGE OF RUIDOSO and THE VILLAGE OF RUIDOSO DOWNS, and rights incident thereto, recorded November 29, 1979 in Miscellaneous Book 61, pages 915 and 916, in the office of the County Clerk of Lincoln County, New Mexico.
13. Easement in favor of THE VILLAGE OF RUIDOSO and THE VILLAGE OF RUIDOSO DOWNS, and rights incident thereto, recorded November 29, 1979 in Miscellaneous Book 61, pages 917 and 918, in the office of the County Clerk of Lincoln County, New Mexico.
14. Easement in favor of THE VILLAGE OF RUIDOSO and THE VILLAGE OF RUIDOSO DOWNS, and rights incident thereto, recorded November 29, 1979 in Miscellaneous Book 61, pages 919 and 920, in the office of the County Clerk of Lincoln County, New Mexico.
15. Easement (Correction) in favor of THE VILLAGE OF RUIDOSO and THE VILLAGE OF RUIDOSO DOWNS, and rights incident thereto, recorded July 28, 1980 in Miscellaneous Book 65, pages 193 and 194, in the office of the County Clerk of Lincoln County, New Mexico.
16. Sewer Line Easement, and rights incident thereto, recorded June 9, 1983 in Miscellaneous Book 86, page 237, in the office of the County Clerk of Lincoln County, New Mexico.
17. Sewer Line Easement, and rights incident thereto, recorded June 9, 1983 in Miscellaneous Book 86, page 238, in the office of the County Clerk of Lincoln County, New Mexico.
18. Easement, and rights incident thereto, in favor of OTERO COUNTY ELECTRIC COOPERATIVE, INC., recorded February 16, 1995 in Book 1995-3, pages 341 and 342, in the office of the County Clerk of Lincoln County, New Mexico.
19. Existing sewer lines and sewer easements located on the land, overhead utility lines and poles on the land, use and maintenance of driveway and utility easement, being 30 feet in width crossing Lewicki Tract 1, and rights of others in and to the underground irrigation pipeline, and rights incident thereto, as shown and/or provided by the Lewicki Land Division plat, filed March 14, 2005 in Cabinet I, Slide 262, in the office of the County Clerk of Lincoln County, New Mexico.

 This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by the Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule BII

**SCHEDULE B, PART II**  
**Exceptions**

20. Easement, and rights incident thereto, in favor of OTERO COUNTY ELECTRIC COOPERATIVE, INC., recorded March 17, 2014 in Book 2014, page 1460, in the office of the County Clerk of Lincoln County, New Mexico.
21. Conveyance of Easement, and rights incident thereto, in favor of TDS BAJA BROADBAND, LLC, d/b/a BAJA BROADBAND, recorded November 18, 2014 in Book 2014, page 6601, in the office of the County Clerk of Lincoln County, New Mexico.
22. Avent Community Ditch (underground water line) located on the land, and deviation of fences from the boundary lines, as shown by the Boundary Survey Plat of the Beall Tracts, filed February 8, 2017, in Book C-K, page 111, in the office of the County Clerk of Lincoln County, New Mexico.
23. Sewer easements, being 20 feet in width and 15 feet in width across the land, overhead utilities crossing the land, use and maintenance of Easement "B" located on Tract 2-A, and easement for all existing overhead/underground utilities on the land, and rights incident thereto, as shown by the Replat filed in the office of the County Clerk of Lincoln County, New Mexico, November 14, 2022, in Book C-K, page 624.
24. Title to any mobile home or any other personal property situate on the herein insured premises is not insured by this policy.
25. Any rights of the public to use and enjoy the waters and the streambed, or rights of access, including fishing rights, vested in others in and to the water, bed and banks of the Rio Ruidoso River, and the continuous uninterrupted flow thereof, and any loss or claims of loss resulting from the change in course or flow of said River.

**END OF EXCEPTIONS**

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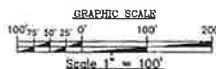
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NM – ALTA Commitment for Title Insurance (8-1-16) (New Mexico Modified) (7/1/18) Schedule BII

# LEGEND:

- SET NO. 4 REBAR WITH CAP P.S. NO. 8877, BY THIS SURVEY.
- FOUND NO. 4 REBAR.
- FOUND NO. 5 REBAR.
- ⊙ FOUND U.S.D.A. MONUMENT.
- ⊙ FOUND REBAR WITH CAP P.S. NO. 4971.
- ⊙ "T" RAIL FOUND AS INDICATED.
- ⊙ POWER POLE.
- FENCE.
- OVERHEAD UTILITY LINE.
- FLOWLINE.
- (-) REFERENCE DOCUMENT LISTED HEREON.

LINE	BEARING	DISTANCE
L-1	S71°43'37"W	45.67'
(A)	N77°52'00"E	42.18'
L-2	S33°13'21"W	42.02'
(A)	N33°25'17"E	46.04'
L-3	S66°50'12"W	45.58'
(A)	N29°01'24"W	81.72'
(A)	N25°01'00"E	42.02'
L-5	N02°44'59"E	43.94'
(A)	S22°43'37"W	43.83'
L-6	N22°30'31"W	102.78'



CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD	CHORD DIST.
C-1	132.09'	49°42'28"	118.75'	S08°40'37"W	116.02'
(A)	115'	42°31'17"	111.25'	N08°27'40"E	108.27'
C-2	88.08'	66°41'44"	161.43'	N10°50'21"E	97.94'

## APPROVAL BY UTILITY COMPANIES:

UTILITY COMPANY	TITLE	DATE
Charter Communications	Sp Tech	3/1/05
Valero Natural Gas	AS	3/1/05
Valero Refining LLC - Telephone	DOT	3/1/05
OTERO COUNTY ELECTRIC CO-OP, INC.	Captain	3-11-05
CITY OF RUIDOSO - WATER & SEWER	Dir	3-11-05

## REFERENCE DOCUMENTS:

(Documents used to determine the boundary and to prepare the plot of survey can be found in the Office of County Recorder, County of Lincoln, State of New Mexico. Unless otherwise specified.)

- WARRANTY DEED FROM WAYNE WALLACE AND MARGARET WALLACE TO TOM LEWICKI AND STEPHANIE LEWICKI, RECORDED JULY 5, 1994, IN BOOK 1994-10, PAGES 120-121.
- NEW MEXICO STATE HIGHWAY COMMISSION R/W MAP, PROJECT NO. AC-WF-070-4(35)264, SHEET 4 OF 57, IN THE RECORDS OF THE NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT, CITY OF SANTA FE, COUNTY OF SANTA FE, STATE OF NEW MEXICO.
- EASEMENT (CORRECTION) BETWEEN THE JOINT USE BOARD FOR REGIONAL CONTROL OF WASTEWATER TREATMENT FACILITIES AND WESTERN SLOPE AIR DRILLING, INC. RECORDED JULY 26, 1980 IN BOOK 65 OF MISC. RECORDS, PAGES 193-194.
- SEWER LINE EASEMENT FROM R.C. JONES TO R.L. CARTER RECORDED JUNE 9, 1983, IN BOOK 86 MISC. RECORD, PAGE 237.
- AFFIDAVIT OF IDENTITY, THOMAS J. LEWICKI IS ONE AND THE SAME PERSON AS TOM LEWICKI, RECORDED JUNE 16, 1997, IN BOOK 1997-9, PAGES 482-483.



## LEWICKI LAND DIVISION AND GRANT OF EASEMENTS PLAT OF SURVEY

A TRACT OF LAND IN THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 14 EAST, OF THE NEW MEXICO PRINCIPAL MERIDIAN, IN THE CITY OF RUIDOSO DOWNS, COUNTY OF LINCOLN, STATE OF NEW MEXICO.

## OWNERS STATEMENT:

WE THE UNDERSIGNED OWNERS AND PROPRIETORS HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS LAND DIVISION AND GRANT OF EASEMENTS TO BE SURVEYED.

TOM LEWICKI STEPHANIE LEWICKI

COUNTY OF LINCOLN } SS  
STATE OF NEW MEXICO }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 11th DAY OF March, 2005, BY TOM LEWICKI AND STEPHANIE LEWICKI. MY COMMISSION EXPIRES: 02-09-09

## APPROVAL BY CITY OF RUIDOSO DOWNS OFFICIALS:

THIS PLAT APPROVED THE CITY OF RUIDOSO DOWNS, NEW MEXICO UNDER SURVEY PROCEDURE ON THIS 11th DAY OF March, 2005.

PLANNING ADMINISTRATOR  
CHAIRMAN PLANNING & ZONING COMMISSION  
VICE CHAIRMAN PLANNING & ZONING COMMISSION

## NOTES:

- BEARINGS OF THIS PLAT ARE BASED ON DATA DERIVED FROM GLOBAL POSITIONING SYSTEMS (GPS) EQUIPMENT.
- PROPERTY SUBJECT TO RESERVATIONS, EASEMENTS AND RESTRICTIONS OF RECORD.

## SURVEYORS CERTIFICATE:

I, ECTOR G. ALVARADO, NEW MEXICO PROFESSIONAL SURVEYOR NO. 8877, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ECTOR G. ALVARADO, P.S. NO. 8877, DATE  
FIELD SURVEY DATE: FEBRUARY 4, 2005

FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, NEW MEXICO, ON THE 11th DAY OF March, 2005, IN CABINET 25, SLIDE 26.2

THOMAS J. LEWICKI  
COUNTY CLERK

RECORD NUMBER: 200502399 REC: 99.00 TIME: 9:44 A.M.

JOB NO.	DATE	DRAWN BY	OWNER(S)	SECTION(S)	TOWNSHIP(S)	RANGE(S)	SUBDIVISION	PLAT NO.	SCALE	CHECKED BY	OWNER(S)	SECTION(S)	TOWNSHIP(S)	RANGE(S)	SUBDIVISION	P.O. BOX	CITY	STATE	ZIP	PHONE
GI-719A	03-05-05	T.L.A.	TOM LEWICKI AND STEPHANIE LEWICKI	15	11 S	14 E	N/A	489	1" = 100'	E.G.A.	TOM LEWICKI AND STEPHANIE LEWICKI	15	11 S	14 E	N/A	2342	RUIDOSO	NEW MEXICO	88355	(505) 237-2275

**LAND TITLES OF RUIDOSO, LLC  
dba THE TITLE COMPANY  
508 MECHEM DRIVE, STE B  
RUIDOSO, NM 88345**

**PRIVACY POLICY NOTICE**

**PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **LAND TITLES OF RUIDOSO, LLC dba The Title Company**.

We may collect nonpublic personal information about you from the following sources:

- information that we receive from others involved in your transaction, such as the real estate agent or lender.
- information we receive from you such as information requested or needed to complete your transaction.
- information about your transactions we secure from our files, or from others.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

**WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.**

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safe guards that comply with federal regulations to guard your nonpublic personal information.

**WE REQUIRE PRIOR WRITTEN PERMISSION FROM YOU TO RELEASE ANY NONPUBLIC INFORMATION TO ANY NONAFFILIATED THIRD PARTY.**

**BOUNDARY SURVEY PLAT**  
THE BEALL TRACTS,  
BEING THREE TRACTS OF  
LAND WITHIN SECTION 15,  
TOWNSHIP 11 SOUTH,  
RANGE 14 EAST, N.M.P.M.,  
CITY OF RUIDOSO DOWNS,  
LINCOLN COUNTY,  
NEW MEXICO

SCALE 1" = 100'  
0 50 100 150 200  
SCALE IN FEET  
R=RECORD F=FIELD

BEING	ADJACENT	DISTANCE
11	N 21° 35' 13" E	35.32
12	N 9° 41' 45" W	31.51
13	N 2° 30' 53" W	28.18
14	N 81° 03' 11" W	22.24
15	N 1° 31' 03" W	44.60
16	N 23° 25' 53" W	43.60

TRIMMED	BEVEL	ANGLE	READS	4th	SAUCER	EDGING	TURNOVER	CHORD	LENGTH
C1	22° 41' 00"	200.00	80.84	N 2° 41' 43"	W	81.19			
C2	38° 32' 40"	80.00	31.83	N 48° 32' 11"	W	36.93			
C3	27° 18' 55"	160.00	126.18	N 51° 18' 18"	W	126.34			

**FLOOD CERTIFICATE**  
THE RIO RUIDOSO HAS A 100-YEAR SFHA (ZONE AE)  
DESIGNATED BY FEMA MAPPING DATED 11/16/11.  
PANELS 35027C20800 AND 35027C20950  
AN APPROXIMATE FLOOD AREA HAS BEEN SHOWN.  
ANY DEVELOPMENT ALONG THIS RIVER MUST FOLLOW  
THE LINCOLN COUNTY FLOOD ORDINANCE.



D.T. COLLINS & ASSOCIATES P.C.  
SURVEYING, MAPPING  
1042 MECHAM DR. 505-258-5272  
PLS NO. 4671  
RUIDOSO, LINCOLN COUNTY, NEW MEXICO

SCALE 1"=100'  
DATE 09-02-12  
DRAWN BY DEC  
CHECKED BY DEC  
JOB NO. 12-SAL  
SHEET 2 OF 3

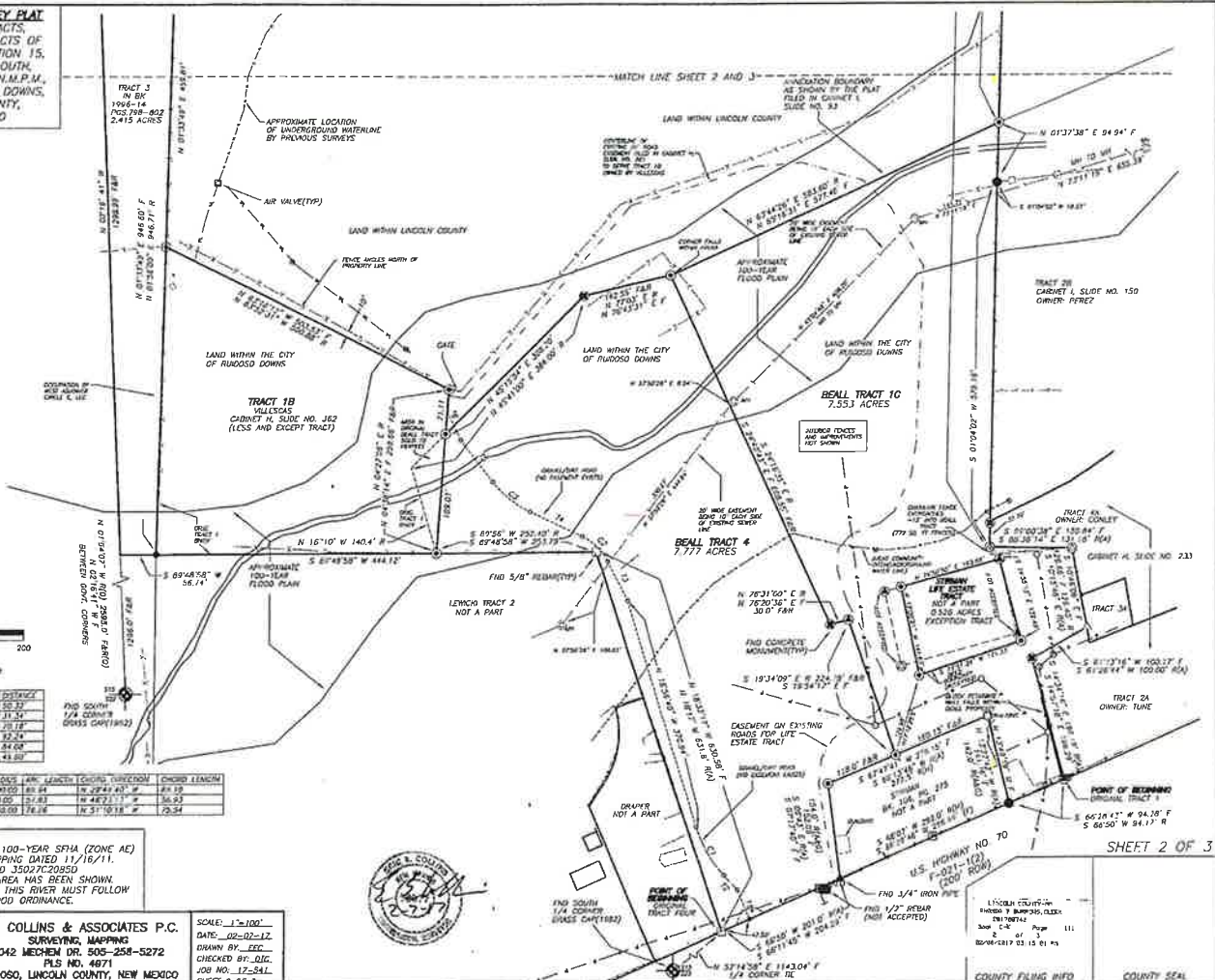


LINCOLN COUNTY  
RECORDS & CLERK  
PLAT NO. 111  
PAGE 1  
09/08/2012 03:15:01 PM

COUNTY FILING INFO

SHEET 2 OF 3

COUNTY SEAL







## PATENT.

THE UNITED STATES OF AMERICA.  
To all to whom these presents shall come, Greeting:

Certificate  
No. 1598

WHEREAS Joel P. Salisbury, of Lincoln County, New Mexico Territory has deposited in the General Land Office of the United States a Certificate of the Register of the Land office at Las Cruces New Mexico Territory whereby it appears that full payment has been made by the said Joel P. Salisbury, according to the provisions of the Act of Congress of the 8th of April, 1820, entitled "An Act making further provisions for the sale of the Public Lands," and the Acts supplemental thereto, for the;

West half of the South west quarter of Section fourteen and the South half of the south east quarter of Section fifteen, in Township eleven south of Range fourteen East of New Mexico Meridian in New Mexico Territory, containing one hundred and sixty acres, according to the Official Plat of the Survey of said Lands returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Joel P. Salisbury.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said Joel P. Salisbury and to his heirs, the said tract above described; To have and to hold the same together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Joel P. Salisbury and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF I, Benjamin Harrison, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the twenty third day of May, in the year of our Lord one thousand eight hundred and ninety one, and of the Independence of the United States the one hundred and fifteenth.

1297323 N. S.

(General Land office )  
Seal

By the President: Benjamin Harrison

By Ellen Macfarland Asst. Secretary.

J. W. Townsend, Recorder of the General Land Office.

Department of the Interior, General Land Office, Washington, D. C. Apr. 20, 1928. I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

M. P. LeRoy, Recorder.

Filed for record June 8 1928 at 10 A. M.

Lotah Miller, Recorder

By

*Joell Miller*

Deputy.

Compared M to N and indexed.

EASEMENT (Correction)

WHEREAS, the Village of Ruidoso, New Mexico, a municipal corporation, by Resolution No. 74-5, and the Village of Ruidoso Downs, New Mexico, a municipal corporation, by Resolution No. 74-9, did create a Joint Use Board for Regional Control of Wastewater Treatment Facilities pursuant to Section 11-1-1, et seq., N.M.S.A., 1978 Compilation (Joint Powers Agreements Act); and

WHEREAS, the said Villages, individually and by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities desire to construct, operate and maintain certain wastewater facilities within and without the respective corporate limits, together with the necessary adjuncts thereto; and

WHEREAS, certain easements and rights of way are required for the construction, operation and maintenance of the said project:

NOW, THEREFORE, it is understood and agreed as follows:

WESTERN SLOPE AIR DRILLING, INC.

First Party, and the Village of Ruidoso, New Mexico, and the Village of Ruidoso Downs, individually, and acting collectively by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities, Second Party, agree as follows:

First Party does hereby grant to Second Party, an easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, maintain, and repair underground pipelines and/or mains for the purpose of conveying sewage over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains; subject, however, to existing easements for public roads, utilities, and pipelines; reserving, however, to First Party all right, title, interest and privilege as may be exercised and enjoyed without interference with or abridgement of the easement(s) and right(s) hereby taken for said public uses.

The land affected by the grant of these easements and rights of way is located in Lincoln County, New Mexico, and is more particularly described as follows:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD said easements for the uses and purposes aforesaid, unto said Second Party, its successors and assigns for so long as said easements shall not be abandoned for pipeline purposes, but that if said easements should at any time be discontinued by non-use thereof for a continuous period of two years, or if the Second Party should at any time execute and cause to be recorded in the County aforesaid a certificate that said easements have been abandoned within the meaning thereof, and the easements hereby granted shall thereupon terminate.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

WITNESS our hands and seals this 23 day of July, 1980.

STATE OF TEXAS )  
COUNTY OF ECTOR )

WESTERN SLOPE AIR DRILLING, INC.  
By: W. J. Carlisle, President  
W. J. CARLISLE, PRESIDENT

The foregoing instrument was acknowledged before me this 23 day of July, 1980, by WESTERN SLOPE AIR DRILLING, INC. by W. J. Carlisle, President

My commission expires:  
11-30-80

Notary Public

## 22) DESCRIPTION:

A permanent easement 20 feet wide, 10 feet on each side of, parallel with and adjacent to the following described surveyed centerline; and a temporary construction easement 50 feet wide, 25 feet on each side of, parallel with and adjacent to the following described surveyed centerline in the Southwest quarter of the Southwest quarter of Section 15, T11S, R14E, N.M.P.M.

Starting at the South one-quarter corner of said Section 15 and going N 0° 01.8' W a distance of 873.20 feet to the place of beginning of the surveyed centerline herein described and a point in an existing fence on the West line of Tract No. 1 of the Plat of E. H. Fuchs Land as filed for record in the Office of the County Clerk of Lincoln County, New Mexico on the 6th day of April, 1972 at Book 37, Miscellaneous Records, Pages 930 through 933; thence N 65° 09.9' E along said centerline a distance of 725.45 feet; thence N 38° 12.3' E along said centerline a distance of 106.00 feet to a point in an existing fence on the Easterly line of said Tract No. 1 and the end of the surveyed centerline herein described.

The area of the permanent easement is 0.3817 acres.



EXHIBIT "A"

STATE OF NEW MEXICO }  
County of Lincoln }  
Filed for record in the Clerks office  
the 28th day of July  
A. D. 19 80 at 1:58 o'clock P. M.  
and recorded in Book 65  
of Miscellaneous Records on page 193 + 194  
Jano McSwane  
County Clerk  
By Ann Hill  
Rec. #63641 Fee \$4.00

194

# EASEMENT

KNOW ALL MEN BY THESE PRESENT; that the undersigned (hereinafter called the "Grantor", whether single or plural, individual or corporate or masculine or feminine), for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby grant unto OTERO COUNTY ELECTRIC COOPERATIVE, Inc., a New Mexico rural electric cooperative corporation (hereinafter called the "Cooperative"), the address of which is Cloudcroft, New Mexico, 88317, and to its successors and assigns, the perpetual right to enter upon the lands of the undersigned, situate in the County of Lincoln, State of New Mexico, and more particularly described as follows:

WASHEROUT FOR SERVICE DROP AND METER TO WELL. ONLY:

A tract of land in the SW/4 SW/4, Section 15, Township 11 South, Range 14 East, N.M.P.M., Lincoln County, New Mexico, described by metes and bounds as follows:

Starting at the South one quarter corner of said Section 15; thence North 00 degrees 20 minutes 00 seconds West a distance of 305.10 feet (Record 305.92 feet) to the Southeast boundary of U.S. Highway No. 70; thence North 66 degrees 50 minutes 00 seconds East along said Highway boundary a distance of 569.50 feet to the place of beginning of the herein described tract of land; thence continuing North 66 degrees 50 minutes 00 seconds East a distance of 305.54 feet; thence North 23 degrees 10 minutes 00 seconds West a distance of 269.01 feet; thence North 33 degrees 36 minutes 43 seconds East a distance of 48.04 feet; thence along the arc of a curve to the left whose central angle is 45 degrees 33 minutes 07 seconds and whose radius is 150.00 feet and whose chord bears North 08 degrees 27 minutes 45 seconds East an arc distance of 119.25 feet; thence North 71 degrees 52 minutes 00 seconds East a distance of 47.18 feet (Record 47.42 feet); thence North 18 degrees 17 minutes 00 seconds West a distance of 240.30 feet; thence North 89 degrees 56 minutes 00 seconds West a distance of 696.45 feet; thence South 01 degrees 02 minutes 20 seconds West a distance of 694.33 feet; thence South 02 degrees 44 minutes 57 seconds West a distance of 45.93 feet; thence North 52 degrees 52 minutes 00 seconds East a distance of 272.00 feet; thence South 18 degrees 40 minutes 00 seconds East a distance of 197.50 feet; thence North 71 degrees 20 minutes 00 seconds East a distance of 214.50 feet; thence North 29 degrees 00 minutes 00 seconds East a distance of 82.00 feet to the said place of beginning.

and to construct, operate and maintain an electric transmission system on the above described land and/or in or upon all streets, roads or highways abutting said lands; to inspect and patrol and make such repairs, changes, alterations, improvements, relocations, upgrading, rephasing, removal from and substitutions and additions to its facilities as the Cooperative may from time to time deem advisable, including, but not limited to, the right to increase or decrease the number of conduits, wires, cable, poles, anchors, transformers and other attachments, accessories and appurtenances to each line or system; to cut, trim and control the growth, by chemical means, machinery or otherwise, of trees and shrubbery within Five (5) feet of the centerline of said line or system; or that may interfere with or threaten to endanger the operation or maintenance of said line or system, including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed; to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use of occupancy of the lines or system by any other person, association or corporation.

For the purpose of exercising the rights granted pursuant to the foregoing paragraph, the Cooperative shall have the right of ingress to and egress from the easement over and through the lands of the Grantor adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least practical damage and inconvenience to the Grantor. The facilities erected hereunder shall remain the property of the Cooperative.

The Grantor covenants that he, they or it is seized of and has the right to convey the said easement, rights and privileges; that the Cooperative shall have quiet and peaceful possession, use and enjoyment of the aforesaid easement, rights and privileges, and that the said land are free and clear of encumbrances and liens of whatsoever character (except those held by the following persons:

~~None~~

Wayne A. Margaret Wallace P.O. Box 758 Las Cruces, New Mexico

88004

ALL microphotographic images of records on this film are to be made following or preceding this certification are of authorized records in the possession of this agency as noted in the statement of intent and purpose of this film and roll. These documents are routinely microfilmed as a necessary operation in the generation of an inviolate document file.

DATE OF FILMING

FEBRUARY 17, 1995

DATA OPERATOR

RE: A. B. B.

The Grantor reserves unto himself, themselves or itself, their heirs successors and assigns, the right to take, use and enjoy the land embraced within this easement in every manner not inconsistent with this grant. Grantor will not, without the written permission of the Cooperative:

1.) Erect, construct or maintain any building, fence, wall or other structure on, place or store any material on, park any vehicle on or grade, excavate, fill or flood the right-of-way in any manner which, in the opinion of the Cooperative, may interfere with or threaten to endanger the exercise of the rights herein granted, or which may create a hazard.

2.) Make any attachment of any kind to any pole, wire or other structure or facility of the Cooperative within the right-of-way. The restrictions and conditions contained in this Easement shall be incorporated into any conveyance, subdivision plan or restrictive covenants concerning the above described land, being covenants running with the land.

"No term or condition of this easement and no breach thereof shall be waived, altered, or modified except by a written instrument executed by Cooperative and guarantor."

This Easement is assignable, and the provisions hereof shall inure to the benefits of and be binding upon the Grantor and the Cooperative, and their respective heirs, devisees, personal representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed this Easement this 15 day of Nov, 1994.

X Tom Lewicki  
(Tom Lewicki)  
X Stephanie Lewicki  
(Stephanie Lewicki) Box 3404HS, Ruidoso  
X Margaret Wallace  
(Margaret Wallace) Box 758, Las Cruces

STATE OF NEW MEXICO }  
COUNTY OF Lincoln } SS:

The foregoing instrument was acknowledged before me this 15th day of November, 1994, by Tom and Stephanie Lewicki.

My Commission expires: 2-8-95

Tracie Allison  
Notary Public

STATE OF NEW MEXICO }  
COUNTY OF Doña Ana } SS:

The foregoing instrument was acknowledged before me this 11 day of Nov, 1994, by Norma & Margaret Wallace.

NOTARY PUBLIC - STATE OF NEW MEXICO  
My Commission Expires: 12

Earlene Lunnels  
Notary Public

STATE OF NEW MEXICO }  
COUNTY OF \_\_\_\_\_ } SS:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_.

My Commission expires: \_\_\_\_\_

Notary Public

STATE OF NEW MEXICO, LINCOLN COUNTY: Recorded this 16th day of February, 1995, at 1:22 P. M., in the Lincoln County Records, Book 1995-3, pages 341-342.

Martha McKnight Proctor by Charlotte Emmons  
Lincoln County Clerk Reg. # 95-01374 Fees: \$ 9.00 342

ALL microphotographic images of records on this film strip following or preceding this certificate are of authorized records in the possession of the person named in the statement of intent and purpose for this sale and all other records are routinely microfilmed on a necessary operation in the operation of an invoice document file.  
CHIEF OPERATOR Pat A. Bann  
DATE OF FILMING FEBRUARY 17 1995

STATE OF NEW MEXICO } Filed for record in the Clerk's office this 9th day of June  
COUNTY OF LINCOLN } 10:15 83 8:54 A. M. and recorded by Book 85  
Misc. Records 238 Jane McSwain Clerk  
Rec. 83-2692 Fee \$3.00 County Clerk By: *Lane H. Haggins*  
Deputy

EX

SEWER LINE EASEMENT

STATE OF NEW MEXICO, )  
COUNTY OF LINCOLN, ) SS.

For and in consideration, of connecting her house to the sewer line, I, RUBY LEE FUCHS, hereby grant to R. L. CARTER, the right to construct, maintain, repair and operate one 20 feet pipeline over and across approximately 200 feet along the West line of Tract 2 in the SW/4 of the SE/4, Section 15, Township 11 South, Range 14 East, Lincoln County, New Mexico.

In the event this pipeline is abandoned for a period of one year, the Grantee shall execute and record a reconveyance and release hereof, whereupon this easement shall be fully cancelled and terminated.

This Easement shall be binding upon the heirs, successors and assigns.

*Ruby Lee Fuchs*  
RUBY LEE FUCHS

*R. L. Carter*  
R. L. CARTER

GENE RAYMOND  
NOTARY  
Commission Expires:  
*7/23/85*  
1984

SUBSCRIBED AND SWORN to before me this 9 day of June, 1983.  
*Mark C. Haggins*  
Notary Public

238

ALL INSTRUMENTS COMING OF RECORD IN THIS OFFICE ARE OF AUTHORIZED  
DOCUMENTS IN THE POSSESSION OF THE CLERK OF THE COUNTY OF LINCOLN, NEW MEXICO.  
AND INSTRUMENTS OF THIS NATURE ARE CONSIDERED AUTHENTIC  
AND A LEGITIMATE OPERATION IN THE TRANSACTION OF AN INSTRUMENT COMING OF  
RECORD.  
*Lane H. Haggins*  
CLERK OF LINCOLN COUNTY  
6-9-83

EX

SEWER LINE EASEMENT

STATE OF NEW MEXICO, )  
COUNTY OF LINCOLN. ) SS.

For and in consideration of picking up the trash, wire, tree stumps and cleaning up in general, or \$1,000.00 at the discretion of the grantor, plus 1/16th override of any fees or other good and valuable considerations derived from letting any third party tie into and use the line, excluding Mrs. Ruby Lee Fuchs, I R. C. JONES do hereby grant to R. L. CARTER, the right to construct, maintain, repair and operate one 20 feet pipeline over and across approximately 200 feet along the West line of Tract 1-C in the SW/4 of the SE/4 Section 15, Township 11 South, Range 14 East, Lincoln County, New Mexico.

The Grantor also reserves the right to tie into said sewer line with no cost to the Grantor.

In the event this pipeline is abandoned for a period of one year, the Grantee shall execute and record a reconveyance and release hereof, whereupon this easement shall be fully cancelled and terminated. This Easement shall be binding upon the heirs, successors and assignees.

R. L. Carter  
R. L. CARTER

R. C. Jones  
R. C. JONES



My Commission Expires:  
March 1, 1984  
(SEAL)

SUBSCRIBED AND SWORN to before me this 7th day of June, 1983.

Veronica P. Chalon  
Notary Public

237

ALL RECORDS IN THIS OFFICE ARE OF AUTHORITY  
AND ARE NOT TO BE REPRODUCED OR COPIED  
WITHOUT THE WRITTEN PERMISSION OF THE  
CLERK OF THE COUNTY OF LINCOLN, NEW MEXICO  
JUNE 8, 1983  
Steve Wallace  
CLERK

EX

EASEMENT

WHEREAS, the Village of Ruidoso, New Mexico, a municipal corporation, by Resolution No. 74-5, and the Village of Ruidoso Downs, New Mexico, a municipal corporation, by Resolution No. 74-9, did create a Joint Use Board for Regional Control of Wastewater Treatment Facilities pursuant to Section 11-1-1, et seq., N.M.S.A., 1978 Compilation (Joint Powers Agreements Act); and

WHEREAS, the said Villages, individually and by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities desire to construct, operate and maintain certain wastewater facilities within and without the respective corporate limits, together with the necessary adjuncts thereto; and

WHEREAS, certain easements and rights of way are required for the construction, operation and maintenance of the said project;

NOW, THEREFORE, it is understood and agreed as follows:

Ruby Lee Fuchs

First Party, and the Village of Ruidoso, New Mexico, and the Village of Ruidoso Downs, individually, and acting collectively by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities, Second Party, agree as follows:

First Party does hereby grant to Second Party, an easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, maintain, and repair underground pipelines and/or mains for the purpose of conveying sewage over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains; subject, however, to existing easements for public roads, utilities, and pipelines; reserving, however, to First Party all right, title, interest and privilege as may be exercised and enjoyed without interference with or abridgement of the easement(s) and right(s) hereby taken for said public uses.

The land affected by the grant of these easements and rights of way is located in Lincoln County, New Mexico, and is more particularly described as follows:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD said easements for the uses and purposes aforesaid, unto said Second Party, its successors and assigns for so long as said easements shall not be abandoned for pipeline purposes, but that if said easements should at any time be discontinued by non-use thereof for a continuous period of two years, or if the Second Party should at any time execute and cause to be recorded in the County aforesaid a certificate that said easements have been abandoned within the meaning thereof, and the easements hereby granted shall thereupon terminate.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

WITNESS our hands and seals this 17<sup>th</sup> day of November, 1979.

Ruby Lee Fuchs  
Ruby Lee Fuchs



The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of November, 1979, by Ruby Lee Fuchs

[Signature]  
Notary Public

My commission expires:  
APRIL 8, 1983

(22) DESCRIPTION:

A permanent easement 20 feet wide, 10 feet on each side of, parallel with and adjacent to the following described surveyed centerline; and a temporary construction easement 50 feet wide, 25 feet on each side of, parallel with and adjacent to the following described surveyed centerline in the Southwest quarter of the Southeast quarter of Section 15, T11S, R14E, N.M.P.M.

Starting at the South one-quarter corner of said Section 15 and going N 0° 01.8' W a distance of 873.20 feet to the place of beginning of the surveyed centerline herein described and a point in an existing fence on the West line of Tract No. 1 of the Plat of E. H. Yuchs Land as filed for record in the Office of the County Clerk of Lincoln County, New Mexico on the 6th day of April, 1972 at Book 37, Miscellaneous Records, Pages 930 through 933; thence N 65° 09.9' E along said centerline a distance of 792.15 feet; thence N 42° 58.9' E along said centerline a distance of 14.51 feet to a point in an existing fence on the Easterly line of said Tract No. 1 and the end of the surveyed centerline herein described.

The area of the permanent easement is 0.3704 acres.



EXHIBIT "A"

STATE OF NEW MEXICO }  
County of Lincoln }  
Filed for record in the Clerks office  
the 29th day of November  
A. D. 19 79 at 2:59 o'clock P. M.  
and recorded in Book 63  
of Records on page 919-920  
Jesse McDevaul  
County Clerk  
By \_\_\_\_\_  
Rec.# 60015 Fee \$4.00

920

EX

EASEMENT

WHEREAS, the Village of Ruidoso, New Mexico, a municipal corporation, by Resolution No. 74-5, and the Village of Ruidoso Downs, New Mexico, a municipal corporation, by Resolution No. 74-9, did create a Joint Use Board for Regional Control of Wastewater Treatment Facilities pursuant to Section 11-1-1, et seq., N.M.S.A., 1978 Compilation (Joint Powers Agreements Act); and

WHEREAS, the said Villages, individually and by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities desire to construct, operate and maintain certain wastewater facilities within and without the respective corporate limits, together with the necessary adjuncts thereto; and

WHEREAS, certain easements and rights of way are required for the construction, operation and maintenance of the said project;

NOW, THEREFORE, it is understood and agreed as follows:

Victoria Estates, Inc.

First Party, and the Village of Ruidoso, New Mexico, and the Village of Ruidoso Downs, individually, and acting collectively by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities, Second Party, agree as follows:

First Party does hereby grant to Second Party, an easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, maintain, and repair underground pipelines and/or mains for the purpose of conveying sewage over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains; subject, however, to existing easements for public roads, utilities, and pipelines; reserving, however, to First Party all right, title, interest and privilege as may be exercised and enjoyed without interference with or abridgement of the easement(s) and right(s) hereby taken for said public uses.

The land affected by the grant of these easements and rights of way is located in Lincoln County, New Mexico, and is more particularly described as follows:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD said easements for the uses and purposes aforesaid, unto said Second Party, its successors and assigns for so long as said easements shall not be abandoned for pipeline purposes, but that if said easements should at any time be discontinued by non-use thereof for a continuous period of two years, or if the Second Party should at any time execute and cause to be recorded in the County aforesaid a certificate that said easements have been abandoned within the meaning thereof, and the easements hereby granted shall thereupon terminate.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

WITNESS our hands and seals this 3<sup>rd</sup> day of September, 1979.

VICTORIA ESTATES, INC.

BY: A.B. Munsey (President)



This instrument was acknowledged before me this 3<sup>rd</sup> day of September, 1979, by A.B. Munsey, President

My commission expires: 10-1-79

Linda Wallace  
Notary Public

917

(22) DESCRIPTION:

A permanent easement 20 feet wide, 10 feet on each side of, parallel with and adjacent to the following described surveyed centerline; and a temporary construction easement 50 feet wide, 25 feet on each side of, parallel with and adjacent to the following described surveyed centerline in the Southwest quarter of the Southeast quarter of Section 15, T11S, R14E, N.M.P.M.

Starting at the South one-quarter corner of said Section 15 and going N 0° 01.8' W a distance of 873.20 Feet to the place of beginning of the surveyed centerline herein described and a point in an existing fence on the West line of Tract No. 1 of the Plat of E. H. Fuchs Land as filed for record in the Office of the County Clerk of Lincoln County, New Mexico on the 6th day of April, 1972 at Book 37, Miscellaneous Records, Pages 930 through 933; thence N 65° 09.9' E along said centerline a distance of 792.15 feet; thence N 42° 58.9' E along said centerline a distance of 14.51 feet to a point in an existing fence on the Easterly line of said Tract No. 1 and the end of the surveyed centerline herein described.

The area of the permanent easement is 0.3704 acres.



EXHIBIT "A"

STATE OF NEW MEXICO }  
County of Lincoln }

Filed for record in the Clerks office  
the 29th day of November  
A. D. 19 79 at 2:58 o'clock P. M.  
and recorded in Book 61  
Misc'l Records on page 917-918  
Paul Maxwell  
County Clerk  
By  
Rec. # 60015 Fee \$4.00

918

EASEMENT

WHEREAS, the Village of Ruidoso, New Mexico, a municipal corporation, by Resolution No. 74-5, and the Village of Ruidoso Downs, New Mexico, a municipal corporation, by Resolution No. 74-9, did create a Joint Use Board for Regional Control of Wastewater Treatment Facilities pursuant to Section 11-1-1, et seq., N.M.S.A., 1978 Compilation (Joint Powers Agreements Act); and

WHEREAS, the said Villages, individually and by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities desire to construct, operate and maintain certain wastewater facilities within and without the respective corporate limits, together with the necessary adjuncts thereto; and

WHEREAS, certain easements and rights of way are required for the construction, operation and maintenance of the said project;

NOW, THEREFORE, it is understood and agreed as follows:

Western Slope Air Drilling, Inc.

First Party, and the Village of Ruidoso, New Mexico, and the Village of Ruidoso Downs, individually, and acting collectively by and through the Joint Use Board for Regional Control of Wastewater Treatment Facilities, Second Party, agree as follows:

First Party does hereby grant to Second Party, an easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, maintain, and repair underground pipelines and/or mains for the purpose of conveying sewage over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains; subject, however, to existing easements for public roads, utilities, and pipelines; reserving, however, to First Party all right, title, interest and privilege as may be exercised and enjoyed without interference with or abridgement of the easement(s) and right(s) hereby taken for said public uses.

The land affected by the grant of these easements and rights of way is located in Lincoln County, New Mexico, and is more particularly described as follows:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD said easements for the uses and purposes aforesaid, unto said Second Party, its successors and assigns for so long as said easements shall not be abandoned for pipeline purposes, but that if said easements should at any time be discontinued by non-use thereof for a continuous period of two years, or if the Second Party should at any time execute and cause to be recorded in the County aforesaid a certificate that said easements have been abandoned within the meaning thereof, and the easements hereby granted shall thereupon terminate.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

WITNESS our hands and seals this 17 day of September 1979.

W. Carlisle Pres  
WESTERN SLOPE AIR DRILLING, INC.  
BY:



This instrument was acknowledged before me this 17 day of September 1979, by WESTERN SLOPE AIR DRILLING, INC. BY: W. Carlisle Pres

My commission expires:  
11-30-80

Norma Landford  
Notary Public

915

(22) DESCRIPTION:

A permanent easement 20 feet wide, 10 feet on each side of, parallel with and adjacent to the following described surveyed centerline; and a temporary construction easement 50 feet wide, 25 feet on each side of, parallel with and adjacent to the following described surveyed centerline in the Southwest quarter of the Southeast quarter of Section 15, T11S, R14E, N.M.P.M.

Starting at the South one-quarter corner of said Section 15 and going N 0° 01.8' W a distance of 873.20 feet to the place of beginning of the surveyed centerline herein described and a point in an existing fence on the West line of Tract No. 1 of the Plat of E. H. Fuchs Land as filed for record in the Office of the County Clerk of Lincoln County, New Mexico on the 6th day of April, 1972 at Book 37, Miscellaneous Records, Pages 930 through 933; thence N 65° 09.9' E along said centerline a distance of 792.15 feet; thence N 42° 58.9' E along said centerline a distance of 14.51 feet to a point in an existing fence on the Easterly line of said Tract No. 1 and the end of the surveyed centerline herein described.

The area of the permanent easement is 0.3704 acres.



EXHIBIT "A"

STATE OF NEW MEXICO }  
County of Lincoln }

Filed for record in the Clerk's Office  
the 29th day of November

A. D. 1979 at 2:57 o'clock P.

and recorded in Book 61

Misc. Records on page 915-916  
Jane M. Duran  
County Clerk

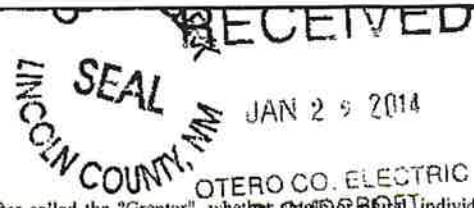
By

Rec. # 50015 Fee \$4.00

916



## EASEMENT



KNOW ALL MEN BY THESE PRESENTS, that the undersigned (hereinafter called the "Grantor", whether an individual or corporate or masculine or feminine), for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby grant unto OTERO COUNTY ELECTRIC COOPERATIVE, Inc., a New Mexico rural electric cooperative corporation (hereinafter called the "Cooperative"), the address of which is Cloudercroft, New Mexico, 88317, and to its successors and assigns, the perpetual right to enter upon the lands of the undersigned, situated in the County of LINCOLN of New Mexico, and more particularly described as follows:

A tract of land in the SW 1/4 SE 1/4, Section 15, Township 11 South, Range 14 East NMPM  
Lincoln County, New Mexico

and to construct, operate and maintain an electric transmission and/or distribution line or system on the above described land and/or in or upon all streets, roads or highways abutting said lands; to inspect and patrol and make such repairs, changes, alterations, improvements, relocations, upgrading, rephasing, removal from and substitutions and additions to its facilities as the Cooperative may from time to time deem advisable, including, but not limited to, the right to increase or decrease the number of conduits, wires, cable, poles, anchors, transformers and other attachments, accessories and appurtenances to each line or system; to cut, trim and control the growth, by chemical means, machinery or otherwise, of trees and shrubbery within FIFTEEN (15) feet of the centerline of said line or system, or that may interfere with or threaten to endanger the operation or maintenance of said line or system, including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed; to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use of occupancy of the lines or system by any other person, association or corporation.

For the purpose of exercising the rights granted pursuant to the foregoing paragraph, the Cooperative shall have the right of ingress to and egress from the easement over and through the lands of the Grantor adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least practical damage and inconvenience to the Grantor. The facilities erected hereunder shall remain the property of the Cooperative.

The Grantor covenants that he, they or it is seized of and has the right to convey the said easement, rights and privileges; that the Cooperative shall have quiet and peaceful possession, use and enjoyment of the aforesaid easement, rights and privileges, and that the said land are free and clear of encumbrances and liens of whatsoever character (except those held by the following persons:

The Grantor reserves unto himself, themselves or itself, their heirs, successors, and assigns, the right to take, use and enjoy the land embraced within this easement in every manner not inconsistent with this grant. Grantor will not, without the written permission of the Cooperative:

- 1.) Erect, construct or maintain any building, fence, wall or other structure on, place or store any material on, park any vehicle on or grade, excavate, fill or flood the right-of-way in any matter which, in the opinion of the Cooperative, may interfere with or threaten to endanger the exercise of the rights herein granted, or which may create a hazard.
- 2.) Make any attachment of any kind to any pole, wire or other structure or facility of the Cooperative within the right-of-way. The restrictions and conditions contained in this Easement shall be incorporated into any conveyance, subdivision plan or restrictive covenants concerning the above described land, being covenants running with the land.

"No term or condition of this easement and no breach thereof shall be waived, altered, or modified except by a written instrument executed by Cooperative and guarantor."

This Easement is assignable, and the provisions hereof shall inure to the benefits of and be binding upon the Grantor and the Cooperative, and their respective heirs, devices, personal representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed this Easement this 21 day of Jan., 2014

X Tom Lewicki by Tom Lewicki by \_\_\_\_\_  
Consumers Signature Print Consumers Name Title

X Stephanie Lewicki by Stephanie Lewicki for \_\_\_\_\_  
Consumers Signature Print Name Title

STATE OF NEW MEXICO )  
COUNTY OF Lincoln ) SS:

The foregoing instrument was acknowledged before me this 21 day of January, 2014.

X Shay Mobley 10/21/2016  
Notary's Signature My Commission Expires

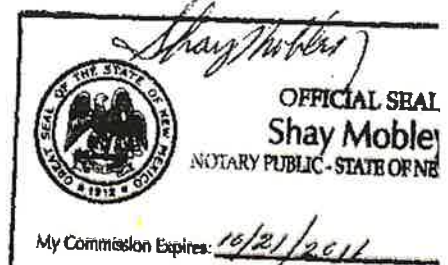
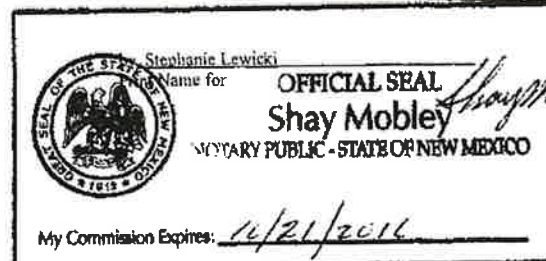
STATE OF NEW MEXICO )  
COUNTY OF Lincoln ) SS:

The foregoing instrument was acknowledged before me this 21 day of January, 2014.

X Shay Mobley 10/21/2016  
Notary's Signature My Commission Expires

Draper Family Trust go win # 1205841

LINCOLN COUNTY - NM  
RHONDA B BURROWS, CLERK  
201401460  
Book 2014 Page 1460  
1 of 1  
03/17/2014 11:26:13 AM



LINCOLN COUNTY-NM  
RHONDA B BURROWS, CLERK  
201406601  
Book: 2014 Page: 5501  
1 of 4  
11/18/2014 10:15:54 AM



Return to/ Drafted by:  
**TDS BAJA Broadband LLC**

**PO BOX 5158**  
**Madison, WI. 53705-0158**

TDS BAJA BROADBAND USE

Easement: ERUD-14-003-NS  
Approx. LAT 33°21'2.88"N  
Approx. LON 105°33'39.44"W  
WBS: TC-141603028

**0359740**

**ASSESSOR'S PARCEL ID REFERENCE**

## CONVEYANCE OF EASEMENT

FOR GOOD AND VALUABLE CONSIDERATION OF ONE DOLLAR (\$1) AND  
OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is  
hereby acknowledged, the undersigned TOM and STEPHANIE LEWICKI with a current  
mailing address of <sup>26557</sup>~~26527~~ US HIGHWAY 70, RUDIOSO DOWNS, NM. 88346,  
for themselves, their successors, heirs and assigns (Grantors) hereby convey and grant to TDS Baja  
Broadband, LLC., a Delaware Corporation, d/b/a BAJA Broadband, with a current mailing  
address of 525 Junction Road, Madison WI. 53717 it's successors and assigns, (Grantee), a  
sixteen and one half foot (16.5') wide perpetual right of easement to run with the land for  
Telecommunications and Cable Television Systems purposes and use including, but not limited to  
the right to construction, maintain, operate, alter, add to, repair, replace, and/or removal its facilities  
and equipment, including, but not limited to, overhead and underground cables, fibers, lines, wires,

ducts, conduits, poles, cross arms, guys, anchors, grounds, braces, amplifiers, antennas, hand holes, pedestals, cabinets and pads and for other appurtenances, upon, in, under, over and across that certain real property of the Grantor, being located in:

The Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 15, Township 11 - S, Range 14-E,

(City/Village/Town) of Ruidoso Downs, Lincoln County, State of New Mexico,

being recorded in said County's Register of Deeds Office and being referenced as:

Owners # 0359740;

The location and extents of said easement centered on the existing power pole line that runs across the parcel and being generally depicted on the attached EXHIBIT "A" hereto, being a part of and incorporated herein as though set forth in full.

## COVENANTS

1. **Grantee** it's agents and assigns shall have the reasonable right of ingress and egress over the lands of the Grantor for the purposes of exercising the rights herein granted and the reasonable right to cut-down-and control the future growth of all trees and vegetation which may, in Grantee's judgment, interfere with the use of said easement.
2. **Grantee** shall repair or pay the Grantor the reasonable value for any physical damage or injury to the Grantor's property arising at any time out of the exercise of the rights herein granted.
3. **Grantee** shall keep and maintain its facilities and equipment within the easement in good repair and shall be responsible for any maintenance and/or repair to the facilities and equipment located within said easement.
4. **Grantor** shall not to erect any structure upon the aforesaid real property that would interfere with Grantee's use of said easement and this covenant shall be binding upon Grantor's successors and assigns.
5. **Grantor** agrees that all Grantee's facilities, equipment and appurtenances installed on above described lands at the Grantee's expense shall remain the property of the Grantee, removable at the option of the Grantee.
6. **Grantor** are the owners or duly authorized representatives of the above described real property and have the unencumbered right to convey the rights granted herein.

LINCOLN COUNTY-RM  
RHONDA B BURROWS, CLERK  
201406601  
Book 2014 Page 6601  
2 of 4  
11/18/2014 10:16:54 AM

## ACKNOWLEDGEMENT

The undersigned, owners of the real property herein (Grantor), hereby acknowledge, execute and grant to the Grantee herein, the easement rights and covenants herein, as a free act of deed as evidenced by their signatures hereunto.

By: [Signature]

Print Name: Tom Lewicki

Date: 11/12/14

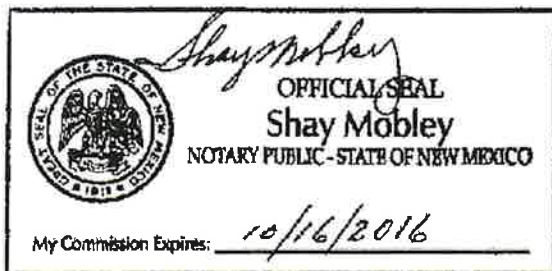
By: [Signature]

Print Name: Stephanie Lewicki

Date: 11/12/14

STATE OF New Mexico,  
COUNTY OF Lincoln ) §§

Acknowledged before me, a notary public in and for said state, personally appeared before me Tom Lewicki and Stephanie Lewicki whom acknowledged to me that their execution of this instrument and whom are known to me to be the persons whom executed this instrument on this 12th day of November, 2014.



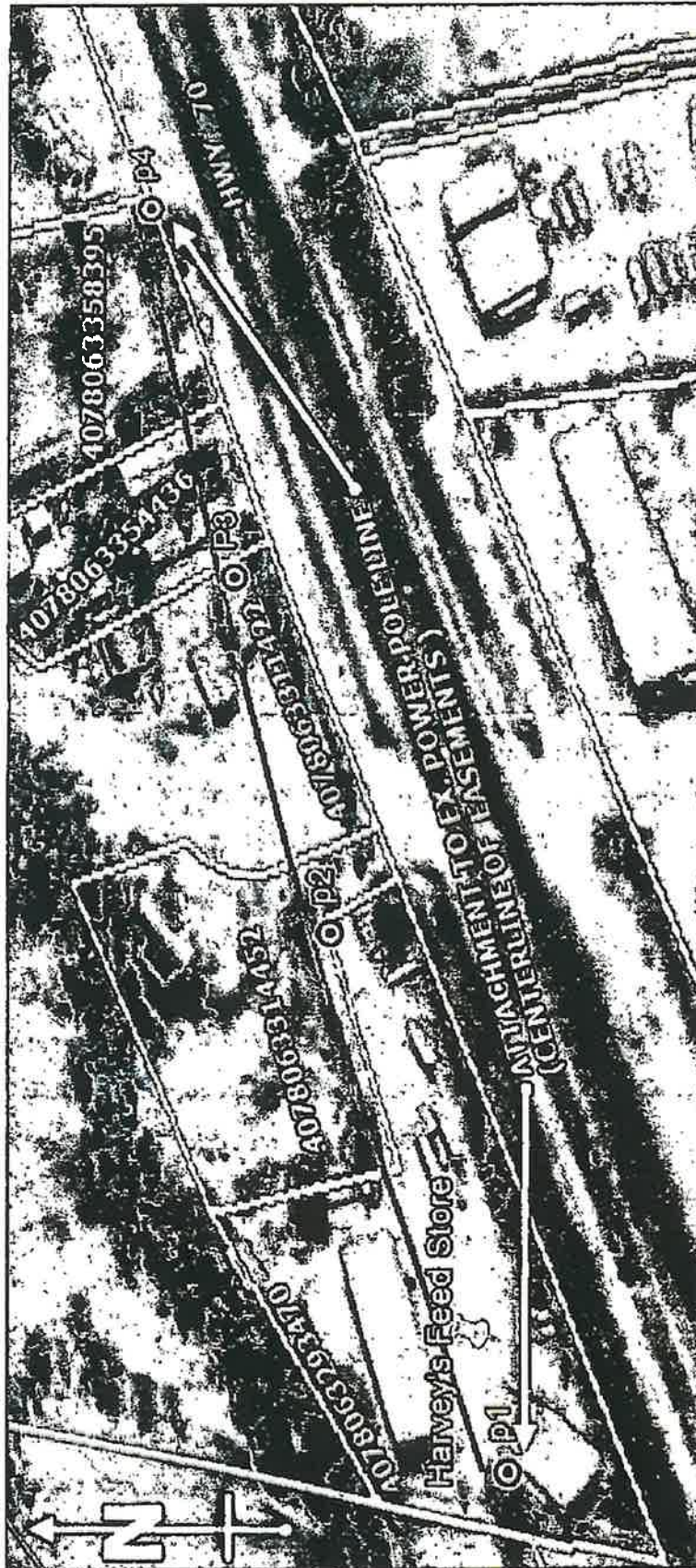
[Signature]  
Notary Public

My commission expires:

10/21/2016

LINCOLN COUNTY-NM  
RHONDA B BURROWS, CLERK  
201406601  
Book 2014 Page 6601  
3 of 4  
11/18/2014 10:16:54 AM

# EXHIBIT "A"

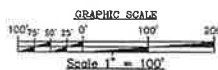


LINCOLN COUNTY-NM  
 RHONDA B BURROWS, CLERK  
 201406501  
 Book 2014 Page 6601  
 4 of 4  
 11/18/2014 10:16:54 AM

# LEGEND:

- SET NO. 4 REBAR WITH CAP P.S. NO. 8877, BY THIS SURVEY.
- FOUND NO. 4 REBAR.
- FOUND NO. 5 REBAR.
- FOUND U.S.D.A. MONUMENT.
- FOUND REBAR WITH CAP P.S. NO. 4871.
- ⊢ "T" RAIL FOUND AS INDICATED.
- POWER POLE.
- FENCE.
- OVERHEAD UTILITY LINE.
- FLOWLINE.
- ( ) REFERENCE DOCUMENT LISTED HEREON.

LINE	BEARING	DISTANCE
L-1	S71°43'32"W	48.67'
(A)	N17°32'50"E	42.18'
L-2	S33°35'21"W	48.02'
(A)	N32°34'43"E	48.04'
L-3	S65°30'12"W	43.58'
(A)	N29°01'24"W	51.72'
L-4	N78°00'00"E	82.62'
(A)	N02°44'39"E	43.94'
L-5	S62°41'37"E	45.83'
(A)	N22°30'31"W	102.78'



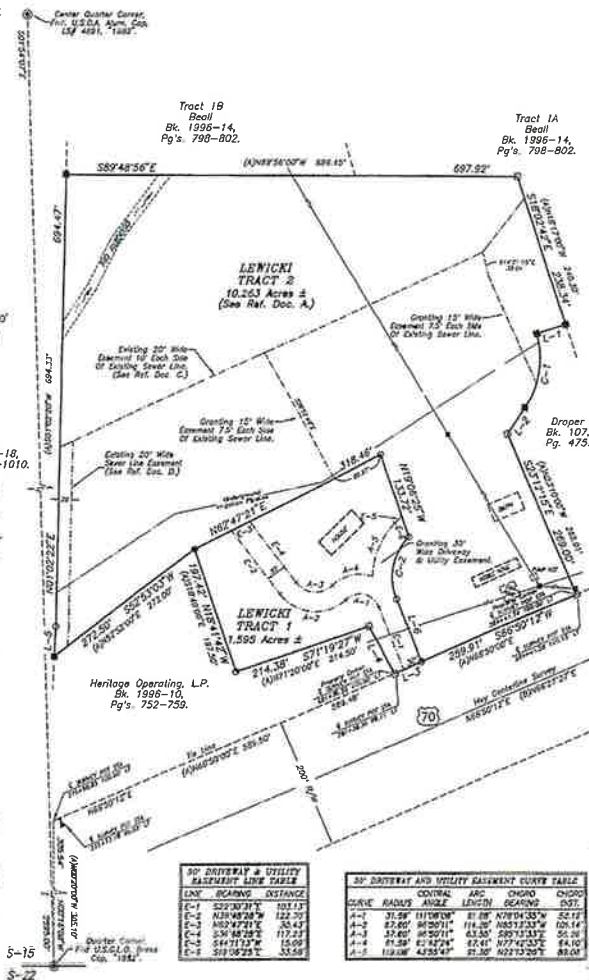
CURVE	RADIUS	CENTRAL ANGLE	CHORD LENGTH	CHORD BEARING	CHORD DIST.
C-1	137.89'	49°45'28"	118.75'	S08°40'37"W	116.02'
(A)	130'	48°33'07"	118.25'	N08°27'43"E	
C-2	89.08'	86°41'44"	103.67'	N10°30'21"E	97.94'

## APPROVAL BY UTILITY COMPANIES:

COMPANY	TITLE	DATE
CHARTER COMMUNICATIONS	3/1/05	3/1/05
214 NATURAL GAS	05	3/1/05
VALOR XELCOM, LLC - TELEPHONE	007	3/1/05
OTERO COUNTY ELECTRIC CO.-GR. INC.	000	3-11-05
CITY OF RUIDOSO - WATER & SEWER	Dir	3-11-05

## REFERENCE DOCUMENTS:

- WARRANTY DEED FROM WAYNE WALLACE AND MARGARET WALLACE TO TOM LEWICKI AND STEPHANIE LEWICKI, RECORDED JULY 5, 1994, IN BOOK 1994-10, PAGES 120-121.
- NEW MEXICO STATE HIGHWAY COMMISSION R/W MAP, PROJECT NO. AC-MP-070-4(3)204, SHEET 4 OF 67, IN THE RECORDS OF THE NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT, CITY OF SANTA FE, COUNTY OF SANTA FE, STATE OF NEW MEXICO.
- EASEMENT (CORRECTION) BETWEEN THE JOINT USE BOARD FOR REGIONAL CONTROL OF WASTEWATER TREATMENT FACILITIES AND WESTERN SLOPE AIR DRILLING, INC. RECORDED JULY 28, 1993 IN BOOK 85 OF MISCL. RECORDS, PAGES 193-194.
- SEWER LINE EASEMENT FROM R.C. JONES TO R.L. CARTER RECORDED JUNE 9, 1983, IN BOOK 86 MISCL. PAGE 237.
- AFFIDAVIT OF IDENTITY, THOMAS J. LEWICKI IS ONE AND THE SAME PERSON AS TOM LEWICKI, RECORDED JUNE 16, 1997, IN BOOK 1997-8, PAGES 482-483.



## LEWICKI LAND DIVISION AND GRANT OF EASEMENTS PLAT OF SURVEY

A TRACT OF LAND IN THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 14 EAST, OF THE NEW MEXICO PRINCIPAL MERIDIAN, IN THE CITY OF RUIDOSO DOWNS, COUNTY OF LINCOLN, STATE OF NEW MEXICO.

## OWNERS STATEMENT:

WE, THE UNDERSIGNED OWNERS AND PROPRIETORS HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS LAND DIVISION AND GRANT OF EASEMENTS TO BE PLATED.

TOM LEWICKI  
COUNTY OF LINCOLN  
STATE OF NEW MEXICO } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 11th DAY OF March, 2005, BY TOM LEWICKI AND STEPHANIE LEWICKI.  
MY COMMISSION EXPIRES: 02-09-09

## APPROVAL BY CITY OF RUIDOSO DOWNS OFFICIALS:

THIS PLAT APPROVED THE CITY OF RUIDOSO DOWNS, NEW MEXICO UNDER SUMMARY PROCEDURE ON THIS 11th DAY OF March, 2005.

## NOTES:

- BEARINGS OF THIS PLAT ARE BASED ON DATA DERIVED FROM GLOBAL POSITIONING SYSTEMS (GPS) EQUIPMENT.
- PROPERTY SUBJECT TO RESERVATIONS, EASEMENTS AND RESTRICTIONS OF RECORD.

## SURVEYORS CERTIFICATE:

I, ECTOR G. ALVARADO, NEW MEXICO PROFESSIONAL SURVEYOR NO. 8877, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, NEW MEXICO, ON THE 11th DAY OF March, 2005, IN CABINET 1, SLIDE 262.

RECEIVED NUMBER: 200 562 359. FEE: \$9.00. TIME: 9:44 A.M.

JOB NO.	DATE	DRAWN BY	INDEXING INFORMATION FOR COUNTY CLERK	PLAT NO.	SCALE	CHECKED BY	OWNER(S)	SECTION(S)	TOWNSHIP(S)	RANGE(S)	SUBDIVISION	PLAT NO.	SCALE	CHECKED BY	OWNER(S)	SECTION(S)	TOWNSHIP(S)	RANGE(S)	SUBDIVISION
61-719A	03-05-05	T.L.A.		489	1" = 100'	E.G.A.	TOM LEWICKI AND STEPHANIE LEWICKI	15	11 S.	14 E.	N/A	489	1" = 100'	E.G.A.	TOM LEWICKI AND STEPHANIE LEWICKI	15	11 S.	14 E.	N/A

EAGLE LAND SURVEYING

P.O. BOX 2342 RUIDOSO, NEW MEXICO 88455 PH: (505)257-2275

**BOUNDARY SURVEY PLAT**  
THE BEALL TRACTS,  
BEING THREE TRACTS OF  
LAND WITHIN SECTION 15,  
TOWNSHIP 11 SOUTH,  
RANGE 14 EAST, N.M.P.M.,  
CITY OF RUIDOSO DOWNS,  
LINCOLN COUNTY,  
NEW MEXICO

SCALE 1" = 100'  
0 50 100 150 200  
SCALE IN FEET  
H-RECORD F-FIELD

NUMBER	DIRECTION	DISTANCE
1	N 21° 12' 15" W	52.37'
2	N 42° 42' 00" W	11.54'
3	N 27° 24' 33" W	10.18'
4	N 84° 42' 12" W	52.24'
5	N 37° 17' 13" W	84.68'
6	N 28° 24' 33" W	48.63'

CHORD	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	22° 48' 00"	200.00	80.34
C2	30° 52' 40"	98.09	37.93
C3	27° 18' 50"	182.00	76.28

**FLOOD CERTIFICATE**  
THE RIO RUIDOSO HAS A 100-YEAR SFHA (ZONE AE)  
DESIGNATED BY FEMA MAPPING DATED 11/16/11.  
PANELS 35027C08000 AND 35027C08050  
AN APPROXIMATE FLOOD AREA HAS BEEN SHOWN.  
ANY DEVELOPMENT ALONG THIS RIVER MUST FOLLOW  
THE LINCOLN COUNTY FLOOD ORDINANCE.



D.T. COLLINS & ASSOCIATES P.C.  
SURVEYING, MAPPING  
1042 MEDHEM DR. 505-258-5272  
RUIDOSO, LINCOLN COUNTY, NEW MEXICO

SCALE 1"=100'  
DATE: 02-02-12  
DRAWN BY: JEC  
CHECKED BY: RJC  
JOB NO. 12-SAL  
SHEET 2 OF 3

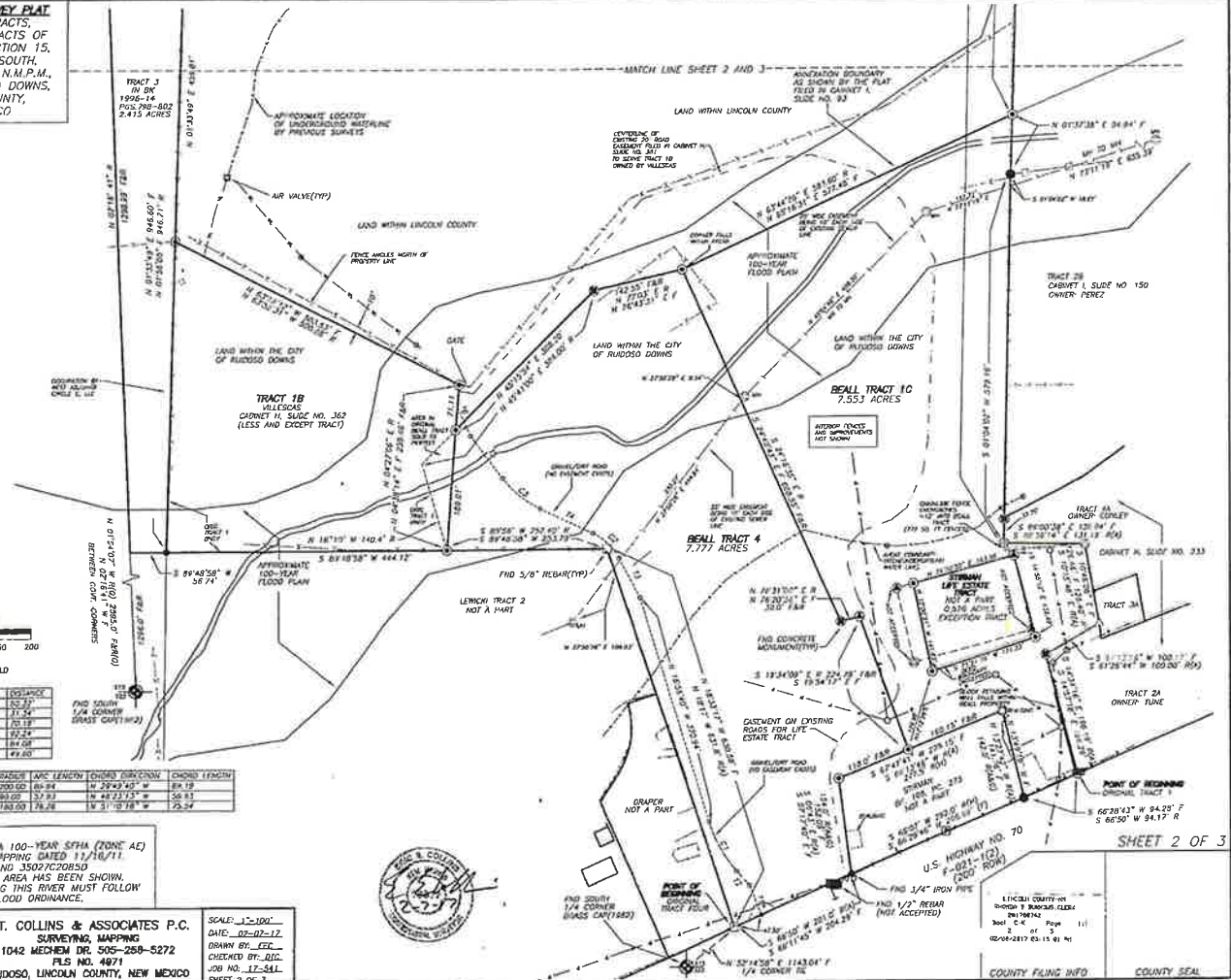


LINCOLN COUNTY  
RECORDS  
Book C-4 Page 111  
02-08-2012 03:15:01 M

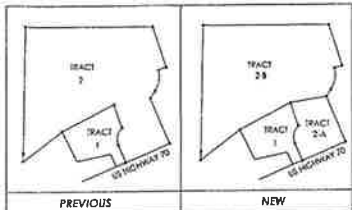
COUNTY FILING INFO

COUNTY SEAL

SHEET 2 OF 3



# A REPLAT OF LEWICKI LAND DIVISION, TRACT 2, RUIDOSO DOWNS, NEW MEXICO.



## EASEMENT "B"

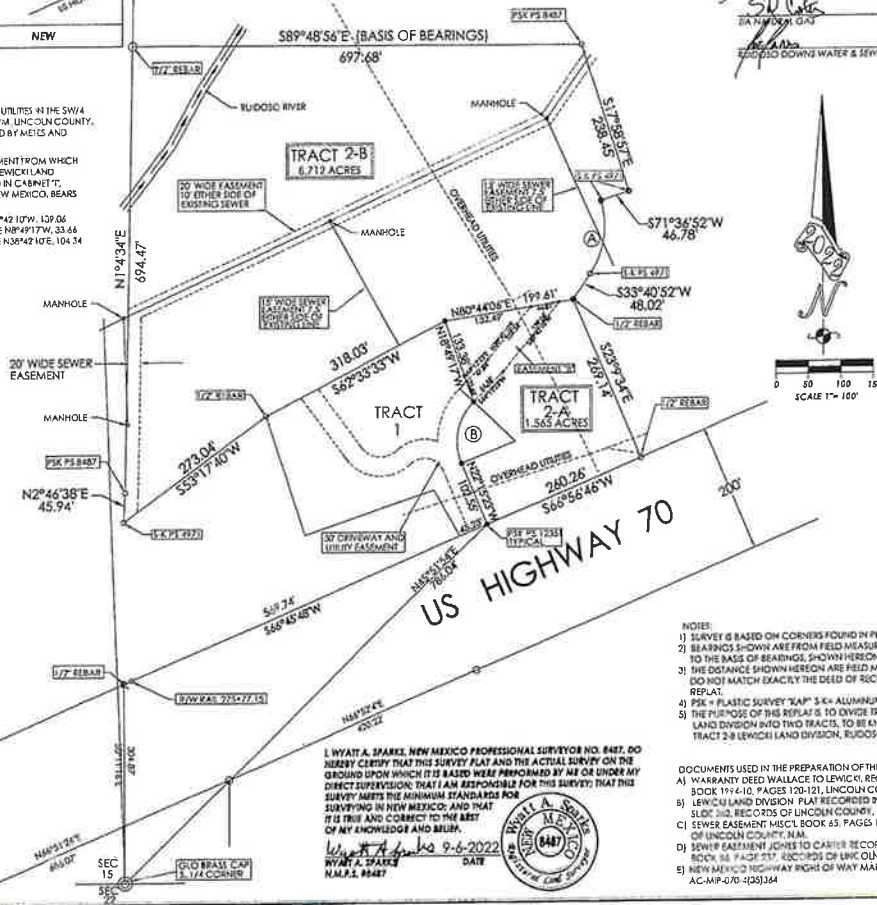
A 30 FOOT WIDE EASEMENT FOR ACCESS AND UTILITIES IN THE SW/4 OF THE SE/4 OF SECTION 15, T11S, R14E, NARPA UNCLIN COUNTY, NEW MEXICO, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 1 OF THE LEWICKI LAND DIVISION, AS SHOWN ON THE PLAT RECORDED IN CABINET T7, SLIDE 262, RECORDS OF LINCOLN COUNTY, NEW MEXICO, BEARS S80°44'08"W, 132.49 FEET;

THENCE N80°44'08"E, 44.81 FEET; THENCE S30°42'10"W, 129.06 FEET; THENCE S44°12'33"W, 44.55 FEET; THENCE N8°49'17"W, 33.44 FEET; THENCE N44°12'33"E, 47.84 FEET; THENCE N36°42'10"E, 104.34 FEET TO THE PLACE OF BEGINNING.

## CURVE DATA

- A R=137.89'  
D=49°45'26"  
CH=58°37'15"W 116.02'
- B R=89.08'  
D=56°37'10"  
CH=N10°53'45"E 97.84'



I, WYATT A. SPARKS, NEW MEXICO PROFESSIONAL SURVEYOR NO. 6487, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WYATT A. SPARKS  
N.M.P.S. #6487  
DATE 9-6-2022

AN EASEMENT IS HEREBY RESERVED FOR ALL EXISTING OVERHEAD/UNDERGROUND UTILITIES ON THE LAND SHOWN HEREON. NO CHANGES HAVE BEEN MADE IN ANY EXISTING UTILITY EASEMENTS.

THIS PLAT APPROVED BY THE FOLLOWING UTILITIES:

WINDSTREAM COMMUNICATIONS  
DATE 9/6/22  
BY [Signature]  
SA N.M.P.S. #6487  
DATE 9/6/22  
RUIDOSO DOWNING WATER & SEWER  
DATE 11/4/22

THIS PLAT IS APPROVED BY THE CITY OF RUIDOSO DOWNS BY SUMMARY PROCEDURE ON THIS 12<sup>TH</sup> DAY OF SEPTEMBER, 2022.

CHAMAN  
PLANNING & ZONING COMMISSION  
DATE 11/3/22  
DATE 11/3/22  
PLANNING & ZONING COMMISSION  
DATE 11/3/22  
PLANNING ADMINISTRATOR  
DATE 11/3/22  
RUIDOSO DOWNS  
DATE 11/3/22  
ATTEST CLERK  
DATE 11/3/22

KNOW ALL MEN BY THESE PRESENTS THAT I, LEWICKI AND STEPHANIE LEWICKI ARE THE OWNERS AND PROPRIETORS OF LEWICKI TRACT 2, IN RUIDOSO DOWNS, LINCOLN COUNTY, NEW MEXICO, AND THAT THIS PLAT WAS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DEEDS OF THE L-APPROVED OWNERS THEY DO HEREBY GRANT THE EASEMENT "B" SHOWN AND DESCRIBED HEREON.

STATE OF NEW MEXICO )  
COUNTY OF LINCOLN )  
I, [Signature], CLERK OF THE COUNTY OF LINCOLN, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2022, BY TONY LEWICKI AND STEPHANIE LEWICKI, WHOSE S&P HAND AND SEAL ON THIS DAY AND YEAR LAST WRITTEN ABOVE.

STATE OF NEW MEXICO )  
COUNTY OF LINCOLN )  
I, [Signature], CLERK OF THE COUNTY OF LINCOLN, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2022, BY TONY LEWICKI AND STEPHANIE LEWICKI, WHOSE S&P HAND AND SEAL ON THIS DAY AND YEAR LAST WRITTEN ABOVE.

THE LINCOLN COUNTY CLERK'S OFFICE CERTIFIES THAT TAXES ARE PAID THROUGH THE CURRENT TAXABLE YEAR FOR THE PARCELS(S) SHOWN ON THIS PLAT.

WATER WILL [Signature]  
COUNTY ASSESSOR  
DATE 11/3/22

COUNTY CLERK  
SEAL  
LINCOLN COUNTY, NM

INDEXING INFORMATION FOR COUNTY CLERK  
OWNER OF PROPERTY  
SUBDIVISION  
UPC: 40364311422 OWNER 304740

RUIDOSO LAND SURVEYING, INC.  
2807 1/2 SOUTHERN DRIVE  
RUIDOSO, NM, 88345 PH. 257-2818  
ruidosolandsurveying@gmail.com  
SCALE 1"=100' JOB# 7647  
DATE 9-5-2022 PLAT 3-1785  
DRAFTER W.A.S. SHEET 1 OF 1

- NOTES:
- 1) SURVEY IS BASED ON CORNERS FOUND IN PLACE.
  - 2) BEARINGS SHOWN ARE FROM FIELD MEASUREMENTS, ROTATED TO THE BASE OF BEARINGS, SHOWN HEREON.
  - 3) THE DISTANCE SHOWN HEREON ARE FIELD MEASUREMENTS AND DO NOT MATCH EXACTLY THE DEED OF RECORD OF THE PREVIOUS REPLAT.
  - 4) PSK = PLASTIC SURVEY "XAP" S&P - ALUMINUM SURVEY CAP
  - 5) THE PURPOSE OF THIS REPLAT IS TO DIVIDE TRACT 2, OF THE LEWICKI LAND DIVISION INTO TWO TRACTS, TO BE KNOWN AS TRACT 2-A AND TRACT 2-B LEWICKI LAND DIVISION, RUIDOSO DOWNS, NEW MEXICO.

- DOCUMENTS USED IN THE PREPARATION OF THIS REPLAT:
- A) WARRANTY DEED WALLACE TO LEWICKI, RECORDED IN BOOK 1174410, PAGES 120-121, LINCOLN COUNTY, N.M.
  - B) LEWICKI LAND DIVISION PLAT RECORDED IN CABINET T7, SLIDE 262, RECORDS OF LINCOLN COUNTY, N.M.
  - C) SEWER EASEMENT MECT BOOK 45, PAGES 193-194, RECORDS OF LINCOLN COUNTY, N.M.
  - D) SEWER EASEMENT JOHNS TO CARTER RECORDED IN MISC. BOOK 18, PAGE 157, RECORDS OF LINCOLN COUNTY, N.M.
  - E) NEW MEXICO HIGHWAY RIGHTS OF WAY MAP PROJECT AC-MIP-070-1251364

1. Sorenson Family  
26555, 26565 Hwy 70  
441 Lind Boulevard  
Harwood, ND 58042
2. Armijo, Alfred  
26571 Hwy 70  
1425 San Rafael Ave. NE  
Albuquerque, NM 87112
3. Villescas, Alvino  
26573 Us Hwy 70  
Ruidoso Downs, NM 88346
4. Harvey, Robyn  
PO Box 8026  
Ruidoso, NM 88355
5. Gatrell, Cathy  
26530 Hwy 70  
PO Box 448  
Ruidoso Downs, NM 88346
6. Stirman, Karen  
26577 Hwy 70  
PO Box 866  
Ruidoso Downs, NM 88346
7. Lewicki, Tom & Stephanie  
26557 US Hwy 70  
PO BOX 2187  
Ruidoso Downs, NM 88346



## Planning Services Department

22 November 2023

**Conditional Use – To request to allow for a RV Park located at 26557 US Highway 70, Ruidoso Downs, NM 88346, located in a C-2 Zoning District.**

Dear Property Owners,

The City of Ruidoso Downs has received a request for a Conditional Use Request to allow for the operation of a RV Park at the property located at 26557 US Highway 70, Ruidoso Downs, NM 88346 located in a C-2 Community Commercial District Lot Section 15, Township 11S, Range 14E. Discussion and consideration for the request is scheduled at the Planning and Zoning meeting to be held on December 5, 2023, at 4:30 PM in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs, New Mexico.

All property owners within 200 ft neighborhood will have the opportunity to make verbal comments at this time, send a letter to our office with any comments or concerns, or attend by Zoom meeting:

**CORD is inviting you to a scheduled Zoom meeting.**

Topic: Planning & Zoning Commission Regular Meeting

Time: Dec 5, 2023 04:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86224183234?pwd=OXEyd2pQOWc3UnhpTVFOZGtEM2xLZz09>

Meeting ID: 862 2418 3234

Passcode: 787109

Sincerely,

Jennet Recendez  
Planning Services Director

*Dean Holman Mayor*

*CITY COUNCILORS\* JUDY R. MILLER \* JODY LACEWELL \* SHANE L. WALKER \* SEBRINA LUNDQUIST*

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586



# Planning Services Department

January 3, 2023

## Planning and Zoning Case # 2023-11

### Findings and Conclusions

The Planning Services presents the findings from the Planning and Zoning Committee. Found that the request for a Conditional Use Application submitted by, Edgar Ontiveros, to allow for Recreational Vehicle Park to operate at 26557 US Highway 70, Ruidoso Downs NM, 88346 has unanimously been approved.

#### Findings:

1. The Planning and Zoning Commission finds that the Applicant has provided sufficient information to satisfy the requirements of the City of Ruidoso Downs to allow for Recreational Vehicle Park to operate at 26321 US Highway 70, Ruidoso Downs NM, 88346.
2. Public input was allowed and citizens were offered the opportunity to ask questions and receive feedback from Applicant.
3. Edgar Ontiveros Recreational Vehicle Park will operate and abide by City Ordinances.

#### Conclusions:

1. The Planning Commission granted Edgar Ontiveros a Conditional Use permit to operate his Recreational Vehicle Park in The City of Ruidoso Downs, based on the condition that he places 5 miles per hour speed limit signs, children present signs, and where applicable a boundary fence without blocking access to neighbors.

**Dean Holman Mayor**

**CITY COUNCILORS\* JUDY R. MILLER \* JODY LACEWALL\* TERRANCE L. PROCTOR \* WALTER G. BABER**

**P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586**

**WWW.RUIDOSODOWNS.US**

**CITY OF RUIDOSO DOWNS  
PLANNING COMMISSION, REGULAR MEETING  
123 DOWNS DRIVE, RUIDOSO DOWNS, NEW MEXICO  
December 5, 2023**

On Tuesday, December 5, 2023, the City of Ruidoso Downs Planning Commission met in a Regular Meeting, Chairman Light called the meeting to order at 4:31 PM and led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chairman Light

Commissioner Banks

Commissioner Hurst

Commissioner Roberts

**Absent:** Commissioner Beechie-Barns

**Municipal Employees Present:**

Jennet Recendez, Planning Services Director

Nancy Gutierrez, Administrative Assistant

**Public Guests: 10**

**Guest Via Zoom: 7**

**APPROVAL OF AGENDA**

Chairman Light stated next item on the agenda was the Approval of the Agenda.

**Motion: Moved by** Commissioner Hurst

**Seconded by** Commissioner Roberts

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

**APPROVAL OF THE REGULAR MINUTES**

Chairman Light stated next on the agenda was the approval of the minutes for the September 5, 2023 meeting and entertained a motion for approval.

**Motion: Moved by:** Commissioner Roberts

**Seconded by** Commissioner Hurst

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

**Public Comments**

Bonnie Richardson made comments.

Shamie Mills made comments.

**UNFINISHED BUSINESS:**

A. Discussion and Possible Action on proposed Amendments to the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 155.Zonning, Section 155.041 R-1 Single- Family Residential District.

There being no further discussion Chairman Light closed Public Hearing.

**C. Discussion and Possible Action; Planning and Zoning Case 2023-10, Variance Request to allow for setbacks to be revised to build a storage unit at the property located at 111 Burke Lane, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.**

Chairman Light made motion to approve Planning and Zoning Case 2023-10, Variance Request to allow for setbacks to be revised to build a storage unit at the property located at 111 Burke Lane, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.

**Motion: Moved by Commissioner Roberts**

**Second By Chairman Light**

**Vote:** Motion denied by unanimous roll call vote (summary: Aye=3).

**D. Public Hearing; Planning and Zoning Case 2023-11, Conditional Use Request to allow for a RV Park to operate at the property located at 26557, Ruidoso Downs, NM 88346 located in a C-2 Zoning District.**

Chairman Light opens Public Hearing opened.

Edgar Ontiveros got sworn in. Edgar Ontiveros presented his case.

Joey Jarvis requested that this Conditional Use come before public works.

Charlie Sorenson got sworn in. Charlie Sorenson brought forth some concerns on the lack of the proposed property to "Abut" a major arterial street. The lack of curbs, pavement, signs etc.

Clyde Jenkins got sworn in. Clyde Jenkins questioned Joey Jarvis PW Director about paving and curbing.

John Underwood suggested that this case be postponed to allow the applicant to address issues at next meeting.

There being no further discussion Chairman Light closed Public Hearing.

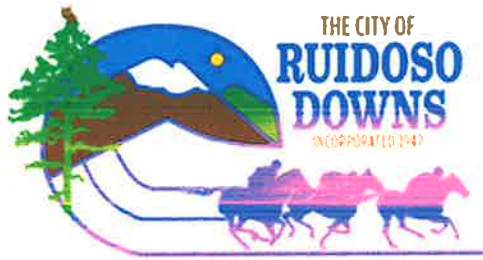
**E. Discussion and Possible Action; Planning and Zoning Case 2023-11, Conditional Use Request to allow for a RV Park to operate at the property located at 26557, Ruidoso Downs, NM 88346, located in a C-2 Zoning District.**

**Motion to table:** Chairman Light to post postpone item to the next regular meeting.

**Seconded by Commissioner Roberts**

**Vote:** Motion carried by unanimous roll call vote (summary: Aye=3).

**F. Public Hearing; Planning and Zoning Case 2023-12, Summary Re-Plat of property located at 26482 US Hwy 70, Ruidoso Downs NM 88346. Re-Plat property from one tract of land to two tracts of land.**



January 19, 2024

Excalibur Oilfield, LLC  
P.O Box 507  
Eunice, NM 88231

**Acknowledgement of Receipt of Appeal**

Dear Mr. Ontiveros

This letter is to inform you that on January 18, 2024 the City of Ruidoso Downs received an appeal of the approval by the Planning and Zoning Commission of case 2023-11 of the request for a Conditional Use Permit to allow the operation of RV park at 26557 US Highway 70 located in the SW4SE4 Tract 2 Section-15 Township-11S Range-14E.

You will be receiving notification of the actual hearing date and time of the appeal hearing.

Sincerely,



Jennet Recendez  
Planning & Zoning Director

# ScottHulse PC

ATTORNEYS AT LAW

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OFFICES IN EL PASO TX AND LAS CRUCES NM

TO: City Counsel of the City of Ruidoso Downs, New Mexico  
FROM: Melissa L. Martin, Esq, counsel to the heirs of Frederick C. Sorenson, deceased  
DATE: March 11, 2024

**RE: Appeal of Planning Commission Decision in Case #2024-01 Recommending Conditional Use Permit for RV Park be Granted.**

Mayor and Councilmembers:

Appellants, being the heirs of Frederick C. Sorenson ("Appellants"), have challenged the Planning Commission's approval of a conditional use permit (the "Conditional Use Permit") to Excalibur Oilfield Services, LLC ("Appellee"), regarding the establishment of the "Lazy River RV Park" upon the real property located at 26557 US Highway 70, Ruidoso Downs, New Mexico 88346 (the "Property"). The granting of the Conditional Use Permit violates the plain language of the City of Ruidoso Downs, New Mexico Code of Ordinances (the "Code"), specifically § 151.083(B)(1), which requires an RV park "abut and have access from major arterial streets". The granting of the Conditional Use Permit likewise violates the laws of the State of New Mexico, as a municipality is not authorized to expand an easement beyond its intended purpose and scope, and the easement (the "Easement") dedicated by Tom and Stephanie Lewicki (the "Lewickis") in that Plat of Survey, dated March 8, 2005 (the "Plat"), was not established for the purpose of daily ingress and egress by multiple recreational vehicles.

This memorandum first establishes that the Property does not "abut" a major arterial street, and that this is not an optional requirement under the Code. Second, this memorandum examines why the Lazy River RV Park does not have access to a major arterial street for purposes of § 151.083(B)(1) of the Code. Finally, this memorandum briefly addresses the arguments and erroneous conclusions of Ms. Alexandra Bobbit, attorney for Appellee, and Mr. H. John Underwood, City Attorney for the City of Ruidoso Downs, New Mexico. This memorandum intends to do what the City Attorney and Appellee failed to – that is, provide clear legal support for conclusion made herein. A district court will determine the outcome of this matter if and when it is appealed thereto; thus, it is imperative that, in weighing its decision, the City Council understand the laws pertaining to this issue rather than simply the unsubstantiated opinions of counsel.

## **I. THE PROPERTY DOES NOT ABUT A MAJOR ARTERIAL STREET, AS REQUIRED UNDER § 151.083(B)(1) OF THE CODE.**

Section 151.083(B)(1) of the Code states that “[r]ecreational vehicle parks shall abut and have access from major arterial streets . . . .” The term “abut” is not defined in the Code. Pursuant to § 155.006 of the Code, all terms not specifically defined therein “shall have their customary dictionary definitions.” Merriam-Webster Dictionary defines “abut” as touching along one side.<sup>1</sup> Cambridge Dictionary says “[i]f a[n] . . . . area of land abuts something or on something, it is next to it or touches it on one side.”<sup>2</sup> The property owned by Appellee does not touch US Highway 70 – or any major arterial street – on any side.

The Planning Commission, City Attorney, and Appellee (collectively, the “Opposing Parties”) all appear to concede that the Property does not “abut” a major arterial street under the customary dictionary definition of the term. Instead, the Opposing Parties take two contrary positions: (1) that the Property need not abut a major arterial street at all; and (2) the Property *does* abut US Highway 70 via the Easement.

Regarding the former contention, the City Attorney selectively quotes a portion of the Code to argue that, per § 10.06(A), the terms “and” and “or” can be used interchangeably in any context. However, the *entire* clause reads as follows: “*AND or OR. Either conjunction shall include the other as if written ‘and/or’, if the sense requires it.*” (Emphasis added.) The sentence immediately preceding this clause states “[t]he construction of all ordinances of the city shall be by the following rules unless that construction is plainly repugnant to the intent of the Governing Body or of the context of the same ordinance.” Code, § 10.06. Moreover, the New Mexico Supreme Court has concluded: “The coordinating conjunction ‘and’ links independent ideas.” *State v. Lopez*, 2023-NMSC-011, ¶15. So, the RV Park needs to both “abut” and “have access” to a major arterial roadway, and the failure of either requirement creates an independent reason for denial.

There are instances where the sense requires the terms “and” and “or” be read interchangeably, and instances where this would be illogical. For example, § 32.040 of the Code reads as follows:

“[City Attorney] **Appointment; Qualifications.** The City Attorney shall be appointed by the Mayor with the approval of the City Counsel. He or she shall be a member of the Bar of the State, in good standing, **and** shall have practiced in the courts thereof for at least one year before being appointed to this office.” (Emphasis added.)

These are three independent requirements for being City Attorney. Adopting the City Attorney’s interpretation of § 10.06(A), a law school graduate who was admitted to the bar yesterday, or an attorney in poor standing with the State Bar, could be appointed City Attorney. (A scary thought, indeed!). Surely, this is repugnant to the Governing Body’s intent, and the sense does not require this interpretation. Conversely, § 10.05 of the Code states as follows:

“**Elected Official.** Those City officials elected under the laws of the State, specifically, the Mayor, the Municipal Judge, **and** members of the Governing Body.” (Emphasis added.)

Here, the sense requires that any one of the Mayor, the Municipal Judge, **or** members of the Governing Body be considered an Elected Official, and the Mayor, the Municipal Judge, **and** members of the Governing Body are also Elected Officials. The sense here requires an “and/or” reading. Section 155.006 of the Code does not. With regard to the phrase “abut **and** have access from”, the sense does not require the inclusion of the term “or”; moreover, inclusion of the term “or” is repugnant to the context of the ordinance, as discussed further below.

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<sup>1</sup> Merriam-Webster Dictionary, “Abut” definition, <https://www.merriam-webster.com/dictionary/abut#:~:text=1.touch%20or%20lean%20for%20support>.

<sup>2</sup> Cambridge Dictionary, “Abut” definition, <https://dictionary.cambridge.org/us/dictionary/english/abut>.

The Opposing Parties also argue that the Property *does* abut US Highway 70, via the Easement. However, this is an uninformed interpretation of an easement as defined by the laws of the State of New Mexico. Indeed, the New Mexico Supreme Court acknowledges that easements are what are known as “incorporeal hereditaments.” See *Heaton v. Miller*, 1964-NMSC-080, ¶ 23 (discussing “incorporeal hereditaments, such as easements”). The term “incorporeal” means “without body; not of material nature.”<sup>3</sup> In other words, an easement is not a tangible thing that has a physical existence; rather, an easement is simply a permission by the landowner to use part of their land for a narrow, specified purpose. By its very nature, an easement cannot satisfy the “abut” requirement because it has no physical existence. Indeed, “since an ‘easement’ is incorporeal [it] cannot abut anything.” *Menefee v. City of Cincinnati*, 109 Ohio App. 97, 159 N.E.2d 917 (1959). Perhaps all too on-point, *Acequia Compound Owners' Ass'n, Inc. v. Orchard Metal Cap. Corp.* involved a claim against a non-abutting defendant/property owner’s use of plaintiff’s land. 2023-NMCA-006, 523 P.3d 606, *cert. granted* (Jan. 3, 2023), *cert. quashed* (Jan. 3, 2024). Although defendant held an easement that touched the edge of plaintiff’s property, the New Mexico Court of Appeals refers to defendant countless times in its decision as the “non-abutting neighbor”. Without a fee interest in the Easement area, Appellee’s land cannot be said to “abut” US Highway 70.

Importantly, the Planning Commissioner who spoke at the February 26, 2024 City Council meeting stated that the intent behind the “abut *and* have access to” language was to prohibit RV parks from being placed in single-family neighborhoods and other residential areas. However, the City Attorney’s conclusion that to have an easement connecting C-2 zoned property to a major arterial street is to abut, will permit exactly this scenario. A public easement, such as a public road, is indeed an easement; it is a non-possessory right held by the public to enter and use land that the public does not own in fee. See *Trigg v. Allemand*, 1980-NMCA-151, ¶¶ 17-18. As such, any property that is connected to a major arterial street via a public road has a non-possessory right to an easement abutting a major arterial street. By upholding the approval of the Conditional Use Permit, the City Council will set a precedent in the City of Ruidoso Downs that virtually any C-2 zoned lot (being 2+ acres) qualifies for a Conditional Use Permit for an RV Park. This is repugnant to the express intent of the Governing Body.

## **II. THE PROPERTY DOES NOT HAVE ACCESS TO A MAJOR ARTERIAL STREET FOR PURPOSES OF § 151.083(B)(1) OF THE CODE.**

The Opposing Parties allege that the proposed Lazy River RV Park will have access to US Highway 70, a major arterial street. However, this is incorrect, as the Easement was not established for the purpose of daily ingress and egress by multiple recreational vehicles.

The existence and scope of an express easement are “determined according to the intent of the parties”. *Mayer v. Smith*, 2015-NMCA-060, ¶ 11. More specifically, the scope of an easement must conform to the intent of the parties who created it by express agreement. *Id.* at 1197 (citing *Skeen v. Boyles*, 2009–NMCA–080, ¶ 18). The intent of the parties is derived from the language of the agreement. *Id.* at 1195. If the easement language is ambiguous, however, “the parties’ intention must be determined from the language of the instrument as well as from the surrounding circumstances.” *Sanders v. Lutz*, 1989–NMSC–076, ¶ 8). The determination of whether an easement is ambiguous entails not a review of its zoning classification as the City Attorney opines, but rather the analysis of deeds and other property documents to ascertain the legal rights associated therewith. *Dethlefsen v. Weddle*, 2012–NMCA–077, ¶ 10. For example, in *Dethlefsen*, the Plaintiff’s deed conveyed a tract of land “subject to easements, restrictions, and reservations of record, including a fifty (50) foot wide road easement to and across said property as shown on [the plat].”

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<sup>3</sup> Black’s Law Dictionary, “Incorporeal” definition & legal meaning, [https://thelawdictionary.org/incorporeal/#:~:text=INCORPOREAL%20Definition%20%26%20Legal%20Meaning&text=Withou%20body%20%3B%20not%20of%20material.%E2%80%9Ccorporeal%2C%E2%80%9D%20\(g.%20v.\).](https://thelawdictionary.org/incorporeal/#:~:text=INCORPOREAL%20Definition%20%26%20Legal%20Meaning&text=Withou%20body%20%3B%20not%20of%20material.%E2%80%9Ccorporeal%2C%E2%80%9D%20(g.%20v.).)

*Id.* at 18. The correspond plat described the easement as follows: “‘ROAD & 50' WIDE EASEMENT FOLLOWS APPROX. C/L OF MONUMENT CREEK’ and ‘EASEMENT EXTENDS TO FOREST SERVICE ROAD.’” *Id.* While the Court of Appeals found that these documents unambiguously reserve at least a fifty-foot-wide ingress-egress easement over the Plaintiff’s property, it concluded the *scope* of the easement was ambiguous because it omitted necessary terms – specifically, the *nature* and *purpose* of the easement. *Id.* at ¶ 19. Importantly, despite the granting of an ingress-egress easement, the court had to look to extrinsic evidence, including the *past use* of the easement, to determine if an activity like hauling livestock across the property was in the intent of the parties at the time the easement was granted. *Id.* at ¶ 25. Notably, the division of a dominant estate (such as the Lewickis’) creates an unreasonable additional burden on the easement in question if evidence exists that the scope and use of the easement has increased since the sale or division. *Mayer*, at ¶ 31.<sup>4</sup>

Like the *Dethlefsen* case, the nature and purpose of the Easement granted by the Lewickis is ambiguous. Although the Plat shows that the Lewickis intended to grant a driveway easement to the subsequent owners of their subdivided lot, the Plat leaves ambiguous the nature and purpose of the easement. Is the Easement a driveway for motor vehicles? Semi-trucks? Heavy equipment? Livestock? RVs? These ambiguities must be resolved based on the surrounding circumstances, i.e. evidence regarding the intent of the Lewickis on the date the Easement was granted in 2005, the language utilized in the deeds in favor of Mr. Sorenson and the owners of Appellee, and the past use of the Easement.

There is no evidence to suggest that when the Lewickis granted the Easement in 2005, it was intended for ingress and egress by recreational vehicles owned by the dominant estate owner’s invitees. Indeed, the Lewickis did not subdivide and sell Tract 2-B to Appellee for use as an RV park for nearly two decades after the Easement was created by plat. Indeed, neighbors report that just recently the Lewickis, for the first time, have installed RV generators on their property. Nor do the conveyance deeds provide any evidence that the use and purpose of the Easement is for ingress and egress by recreational vehicles. The past use of the Easement for nearly 20 years has been occasional ingress and egress by the Lewickis and, most recently, the owners of Appellee. It certainly has not been used for the regular ingress and egress of dozens of recreational vehicles per week. Finally, the division and sale of the Lewickis’ lot to Appellee for its intended use creates an unreasonable additional burden on the Easement, because the scope and use of the Easement has increased dramatically since the sale or division. For all of these reasons, we must interpret the Easement’s scope and purpose narrowly, not expand it for use of any commercial purpose under the sun. By upholding the Planning Commission’s grant of a Conditional Use Permit to Appellee, the City of Ruidoso Downs will be unilaterally expanding the use of the Easement beyond its intended use. This violates New Mexico law and must be reversed. *See Mayer*, at ¶ 29 (“[E]asements created to benefit a dominant estate cannot be expanded, changed, or modified without the express consent of the servient estate.”)

### **III. APPELLEE AND CITY ATTORNEY HAVE FAILED TO PROVIDE LEGAL SUPPORT FOR THEIR CONCLUSIONS REGARDING ABUTMENT AND ACCESS REQUIRED FOR CONDITIONAL USE PERMIT UNDER THE CODE.**

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<sup>4</sup> The undersigned attorney has been unable to find any case law in the State of New Mexico supporting the conclusion that the scope of an easement is determined by the dominant estate’s zoning, and the City Attorney provided no case law or other sources of legal authority to support his contention that it does. However, the Supreme Court of New Mexico has for decades recognized a preference within the State’s case law to narrowly construe rights created by an easement – an established law that flies in the face of the City Attorney’s contention. *Walker v. United States*, 2007–NMSC–038, ¶ 49, 142 N.M. 45 (“In New Mexico, the scope of an easement, or right-of-way, is narrow and is measured by the ‘nature and purpose of the easement.’”).

In briefing the City Council on these complex property law issues, Appellee fails to provide a single statutory or case-law reference to support Appellee's opinions. Ms. Bobbit's brief made a plethora of erroneous legal claims. To address but a few:

- **Appellee's Assertion:** "An easement is an agreement between property owners that allows one owner to use a private roadway that goes across the other owner's property."
- **Reality:** An easement is a non-possessory right to enter and use land in the possession of another. Only one party (the party granting the easement) need be a property owner. An easement can be private or public. An easement need not be a roadway – it can be a utility easement, a railroad easement, a light-and-air easement, aviation easement, etc.
- **Appellee's Assertion:** "An easement does not have City maintenance and is usually maintained by the dominant servient."
- **Reality:** A public easement or right-of-way may be maintained by the City if this is agreed upon by the parties. Also, there is no such thing as a "dominant servient". Appellee in ignorance is conflating two distinct terms, i.e. a "dominant estate" and a "servient estate".

Appellee's brief does make one correct assertion: that "abutting and having access . . . is required by the ordinance". *Appellee's Brief*, ¶ 1. However, Appellant's haphazardly drafted and legally inaccurate brief is nonsensical at best, and an example of attorney malpractice at worst. As such, it should be disregarded.

Likewise, the City Attorney managed to cite but a single sentence in his two-page opinion. He provides no legal support whatsoever for his conclusion that any commercially-oriented use of an easement in a C-2 zone is permissible under the law. By contrast, the undersigned has gone to painstaking lengths to provide the City Counsel with legal proof of every claim made herein. Appellant urges the City Counsel to recognize the unlawfulness of granting the Conditional Use Permit to Appellee, and to deny Appellee the Conditional Use Permit.

Respectfully,

**SCOTTHULSE, PC**



MELISSA L. MARTIN  
For the Firm

## COUNCIL STATEMENT

To: Ruidoso Downs City Council, Attorney John Underwood, Attorney Michelle Martin

Date: March 4, 2024

Re: Lazy RV Park

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### **Appellee Claim:**

Mr. Ontiveros asserts that, following the Planning and Zoning decision, that the easement attached to his property and deeded to him as the dominant servient connects his property to the major road way, therefore abutting and having access, as is required by the ordinance.

An easement does not operate the same as a public roadway. An easement is an agreement between property owners that allows one owner to use a private roadway that goes across the other owner's property. A public roadway is maintained by the City and is typically considered to be a major roadway (like a highway) or a residential street. An easement does not have City maintenance and is usually maintained by the dominant servient, in this case my client. An easement is typically (like in this situation) deeded to the dominant servient (the party using the easement to access property) whereas a City road is not deeded to the owner of a home. The deed plays an important part as it shows a recording that shows my client to be a dominant servient for a land locked property, which then applying the easement as his property having access and abutting a major roadway becomes more fitting with the ordinance.

We believe that the concern is not the easement and traffic on the easement, but that the land owners/appellants simply do not want an RV park. The land owners even testified to Council that they do not live here nor do they spend a significant time in Ruidoso Downs. Yet, my client has agreed to maintain the easement, put in a nice and well run RV Park and abide by a speed limit of 5 mph on the easement. We heard testimony from one of the Ruidoso Downs Firefighters that she maintains an RV Park and that her children live in the center of the RV park where there are RV's moving in and out and that the concerns raised about danger to the children, just don't exist. She testified that she feels safe and that the RV's drive past her house and she's never had any issues with her children. There was also testimony regarding what other businesses could go into that commercial area. There could be marijuana smoke shops, a hospital, a clinic, hotels, motels, and a

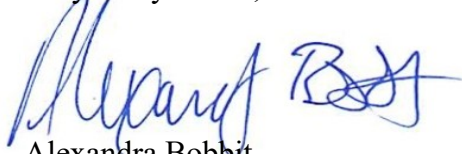
shooting range, for options. None of those businesses would require a conditional use permit and could just go up at sale. With the RV Park, my client has had to seek out a conditional use permit, which gives the City of Ruidoso Downs, much more control over the set up of the RV park and has allowed the City of Ruidoso Downs to implement a speed limit.

The case law cited during the meeting was all case law that pertained to specific issues in those respective cases. There was discussion about the case law stating you can't change the use of the easement. The language of the easement is clear – access and utilities. My client is not changing the use of the easement at all and with all the property being zoned commercial, the implication is that the easement is for commercial use, which you can tell by it being a 30 foot easement (instead of the required 25 foot easement/roadway). There will be no changes to the use of the easement then how it is currently stated – access and utilities.

My client has set up a beautiful RV park that will allow the river running behind the property to be utilized in a way that is conducive to the area, with it being admired and enjoyed through rest and tranquility. We are hopeful that the City of Ruidoso Downs Council and Mayor will find that the easement allows the property to be deemed to be abutting and accessing a major roadway, that the easement is being used in its intended purpose and that my client my set up his RV park to generate more tourism and more lodger's tax for the City of Ruidoso Downs.

We thank you for hearing us at the last meeting and look forward to your decision.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Alexandra Bobbit', with a stylized flourish at the end.

Alexandra Bobbit

Attorney for Edgar Ontiveros/Lazy RV Park

# H. John Underwood, Ltd

A T T O R N E Y S   A T   L A W

H. John Underwood

March 4, 2024

Mayor Holman  
Mayor Pro-Tem Miller  
Councillor Proctor  
Councillor Baber  
Councillor Lacewell

**Re:   Appeal of Planning & Zoning Decision Recommending Conditional Use be  
Granted for RV Park**

Dear Mayor & Council:

The issue of the granting of the Conditional Use for the RV Park at the property located at 26557 US 70 was heard at a Public Hearing at the Regular Council Meeting held on February 26, 2024.

The issue, at the end of the day, boils down to one (1) very simple issue.

- 1)       Was the Applicant eligible for the conditional use? The answer is yes. The property is zone C-2, neighborhood commercial and the City's records reflect that the property has been zoned C-2 since its annexation in 2004. An RV park is one of the conditional uses allowed. It is important to note Appellant acquired title to the property in a foreclosure sale in 2014. It is noted in the Special/Limited Warranty Deed granted to Mr. Sorenson that he took the property subject to the following: all easements, covenants and restrictions of record . . . as well as zoning.

So upon acquisition of the property all the easements existing in this case and made a part of the record were in place. It is noted in the Replat of the Lewicki Tract that the "30 foot wide easement is for access and utilities."

Then you must consider whether this piece of property meeting the qualifications for the conditional use set forth in the ordinance. Section 155.083 (B) requires that an RV Park "shall abut and have access from major arterial streets . . ."

The question then becomes whether the easements constitute part of the property (Tract 2B) for purpose of abutting Hwy. 70.

First of all Section 10.06 (A) in Rules of Interpretation states that "and/or shall include the other as if written "and/or". Therefore, the language of §155.083B then reads "the land shall abut and/or have access from a major arterial.

Secondly, as set forth in *City of Rio Rancho v Amrep Southwest, 150 NM 428 (2011)* the Court stated that the easement which is appurtenant passes with the land to which it is appurtenant. When you look up the meaning of appurtenant it is said that it is a type of easement where the two (2) properties are linked together as dominant and servient. So in essence, the easement passes with the passage off the piece of property that it services, in this as Tract 2B, the Applicant's property.

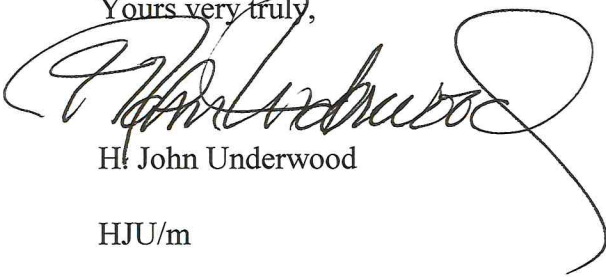
Finally, a discussion of the nature of easement is worthwhile. Although the Appellant agrees that the easement should be construed narrowly, it is neither ambiguous nor is it limited to personal use only. It is quite clear that the easement was drawn to serve the property for which it provides access and since the property was zoned commercial at the time it was placed of record it can only be believed that the grantor's interest was that it serve commercial uses. The law does not allow one to read limits into a document that is clearly written.

Please note that since the first meeting in March will be a workshop, no action can be taken at that meeting. Therefore, the action you take will be taken by voice vote at the meeting of March 25, 2024.

The requirements for the action that you take are set forth in §155.021 (E). You may: (1) uphold the decision, (2) reverse any decision, or (3) make any change in the decision.

As City Attorney, I recommend that the Council uphold the finding of the Planning & Zoning Committee in granting the Conditional Use Permit. The condition included a five (5) mile per hour speed limit on the easement.

Yours very truly,

A large, stylized handwritten signature in black ink, appearing to read 'John Underwood', is written over the typed name.

H: John Underwood

HJU/m

cc: Jennett Recendez, Planning Director  
Alexander Bobbit, Esq.  
Melissa Martin, Esq.  
file

# AGENDA MEMORANDUM

## CITY OF RUIDOSO DOWNS

UNFINISHED BUSINESS - B.

**To:** Mayor Holman and Councilors

**Presenter(s):** Deputy Police Chief

**Meeting Date:** March 25, 2024

**Re:** Discussion and Possible Action on approval of a Pay Raise for all Police Department Personnel After Restructuring of Police Department Personnel.

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### **Item Summary:**

The RDPD respectfully request the approval of a plan which implements raises for all police department personnel.

At the March 11, 2024 Workshop, it was the consensus of the City Council this item be listed under Unfinished Business for further discussion.

### **Financial Impact:**

There will be no additional monies taken from or put into the police personnel budget.

### **Recommendations:**

To approve, Pay Raise for all Police Department Personnel After Restructuring of Police Department Personnel.

### **ATTACHMENTS:**

Description

Police Officer Raise Document

Salary Comparison

Remove CSO Position and PD 3 Officers' Increase

Remove Officer Position and PD 3 Officers' Increase

# *POLICE DEPARTMENT*

## *CITY OF RUIDOSO DOWNS*



*CHIEF OF POLICE: JOE COMMANDER*

### *INTERDEPARTMENTAL MEMORANDUM*

Date: February 27, 2024

To: City Council Members, City of Ruidoso Downs

From: Robert Knight, Deputy Chief of Police, Ruidoso Downs Police Department

Re: DISCUSSION AND POSSIBLE ACTION TO APPROVE PAY RAISE FOR ALL POLICE DEPARTMENT PERSONNEL.

The purpose of this memorandum is to respectfully request approval of the following raise request for Ruidoso Downs Police Department Personnel (Including Civilian). As you may or may not know, a couple months ago, I attempted to submit a TEMPORARY PAY RAISE for police department personnel.

At that time, I was advised by Finance Director Castaneda, temporary pay raises are illegal under NM State Statute. However, at that time, Director Castaneda informed me we could complete a permanent pay raise for police department personnel, but it would require cutting a position and a half within the police department in order to afford it on my current budget.

I asked Director Castaneda if I need to figure out the math on the position cuts for the remainder of this fiscal year. She informed me it needed to be figured out for the full fiscal year, even though more than half of the fiscal year is gone. This is due to the upcoming budget negotiations and how much it would cost my budget should I attempt to get the position and a half back in my budget for the next fiscal year (2024-2025). I will inform you now, if I must give up a position and a half to get this current raise accomplished, which I am willing to do, it will be my intention to ask the council for those positions back at budget negotiations.

Initially, I asked Director Castaneda to do the math for me with regard to figuring out how many positions I would have to cut in order to have the monies in my budget. However, due to significant family issues Director Castaneda is experiencing, she indicated she had no time to complete the figures for me. As a result, Human Resources Director Donna Miller has stepped into the role of helping me figure out the numbers.

By Director Miller's calculations, I would have to make position cuts up to \$145,277.50 in order to afford the police department personnel their raises, which I will list below. Using the above figure, I would

# *POLICE DEPARTMENT*

## *CITY OF RUIDOSO DOWNS*



*CHIEF OF POLICE: JOE COMMANDER*

### **INTERDEPARTMENTAL MEMORANDUM**

have to cut a police officer and a CSO position from my budget to cover the expense. For details of the math, Director Miller supplied me with a spread sheet, which is attached with this document.

My intentions are to give all police personnel raises in the following amounts:

#### **POLICE OFFICERS WILL GET A \$4 PER HOUR PAY RAISE EACH:**

Chief Joe Commander  
Deputy Chief Robert Knight  
Sergeant Nicholas Malone  
Officer Nickolas Hanshaw  
Officer Karl Becker

#### **CIVILIAN PERSONNEL WILL GET A \$3 PER HOUR PAY RAISE EACH:**

CSO Jim Marion  
Records Supervisor Celia Villarreal  
Evidence Technician / Grant Writer Rebecca Michael

It is imperative we be allowed to give these personnel pay raises to stay competitive with surrounding agencies. As you are all too familiar, I have lost many police officers to other agencies due to the lack of adequate pay offered by this city. By allowing the above listed pay rate increases, we still will not be the highest paid agency in the area, but we will be very close to competing with the higher paid agencies.

In closing, I am asking that the two position cuts mentioned earlier be approved. Additionally, based on these cuts, I also ask for your vote to approve the pay raises as listed in this document. I thank you for your time and effort in this matter.

	Current Hourly Rate	FY 2023-24 ANNUAL	FICA	MEDICARE	PERA	W/C	INSURANCE	C/ALLOW	S/L Pay	WCP	TOTAL
<b>Police Department</b>											
Police Chief, Commander Joe	37.82	73,291.20	4,544.05	1,062.72	14,768.18	9.20	66.96	1,500.00	400.00	2,755.75	98,398.06
Officer-Becker, Karl	26.02	54,402.40	3,372.95	788.83	10,982.08	9.20	21,969.72	1,500.00	400.00	2,045.53	95,450.72
Officer-Malone, N	30.35	57,383.68	3,557.79	832.06	11,592.81	9.20	11,527.44	1,500.00	500.00	2,157.63	89,030.81
Deputy-Knight, Robert	34.42	68,140.80	4,224.73	988.04	13,730.37	9.20	21,969.72	1,500.00	500.00	2,562.09	113,624.96
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	101,071.94
Officer-Hanshaw, N	25.26	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
Officer-Vacant	24.06	55,417.84	3,435.91	803.56	11,166.69	9.20	33,223.80	1,500.00	500.00	2,083.71	108,140.71
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
Evidence Tech - Michael, R	19.47	39,383.92	2,441.80	571.07	4,263.46	9.20	21,969.72	1,500.00	400.00	941.28	71,470.45
Secretary-Villarreal, C	19.13	37,876.80	2,340.36	549.21	4,090.69	9.20	11,527.44	900.00	700.00	727.23	58,728.94
Full Time Laborer -Valdez, P 40%		7,977.00	494.57	115.67	861.52	4.60	8,787.89	180.00	160.00	417.99	18,999.24
Vacation Liability 30% of total		13,176.00	816.91	191.05	0.00					495.42	14,679.38
Incentive Pay		1,560.00	96.72	22.62	314.34					58.66	2,052.34
OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>558,744.04</b>	<b>37,748.33</b>	<b>8,829.24</b>	<b>101,952.23</b>	<b>96.60</b>	<b>230,714.09</b>	<b>14,580.00</b>	<b>4,860.00</b>	<b>21,774.10</b>	<b>1,029,407.63</b>

ORIGINAL BUDGET

<b>Community Service Officer (PD)</b>											
Vacant	18.36	40,539.20	2,513.43	587.82	4,378.23	9.20	33,223.80	1,500.00	400.00	1,767.51	84,919.19
Marion, J	21.69	42,515.20	2,635.94	616.47	4,591.64	9.20	11,527.44	1,500.00	600.00	1,853.66	85,849.56
Vacation Liability 30% of total		1,766.00	109.49	25.61	0.00					77.00	1,978.10
Incentive Pay		832.00	51.58	12.06	89.86					36.28	1,021.78
OVERTIME		200.00	12.40	2.90						8.72	224.02
<b>Total</b>		<b>85,652.40</b>	<b>5,322.85</b>	<b>1,244.86</b>	<b>9,059.73</b>	<b>18.40</b>	<b>44,751.24</b>	<b>3,000.00</b>	<b>1,000.00</b>	<b>3,743.16</b>	<b>153,992.84</b>

BUDGET WITH WAGE INCREASES

<b>Police Department</b>											
Police Chief, Commander, Joe	41.82	86,986.02	5,393.13	1,261.30	17,962.61	9.20	66.96	1,500.00	400.00	3,270.67	116,849.89
Officer-Becker, Karl	30.02	62,441.60	3,871.38	905.40	12,894.19	9.20	21,969.72	1,500.00	400.00	2,347.80	106,339.30
Officer-Malone, N	34.35	71,448.00	4,429.78	1,036.00	14,754.01	9.20	11,527.44	1,500.00	500.00	2,686.44	107,890.87
Deputy-Knight, Robert	38.42	79,913.60	4,954.84	1,158.75	16,502.16	9.20	21,969.72	1,500.00	500.00	3,004.75	129,512.82
Officer-Vacant	28.06	58,364.80	3,618.62	846.29	12,052.33	9.20	33,223.80	1,500.00	500.00	2,194.52	112,309.55
Officer-Vacant	29.26	60,860.80	3,773.37	882.48	12,567.76	9.20	33,223.80	1,500.00	400.00	2,288.37	115,505.77
Officer-Vacant	28.06	58,364.80	3,618.62	846.29	12,052.33	9.20	33,223.80	1,500.00	500.00	2,194.52	112,309.55
Officer-Vacant	28.06	58,364.80	3,618.62	846.29	12,052.33	9.20	33,223.80	1,500.00	400.00	2,194.52	112,209.55
Evidence Tech - Michael, R	22.47	48,817.60	3,026.89	707.86	5,516.39	9.20	21,969.72	1,500.00	400.00	1,166.74	83,114.20
Secretary-Villarreal, C	22.13	46,030.40	2,853.88	667.44	5,201.44	9.20	11,527.44	900.00	700.00	883.78	68,773.58
Full Time Laborer -Valdez, P 40%		7,977.00	494.57	115.67	861.52	4.60	8,787.89	180.00	160.00	417.99	18,999.24
Vacation Liability 30% of total		13,176.00	816.91	191.05	0.00					495.42	14,679.38
Incentive Pay		1,560.00	96.72	22.62	314.34					58.66	2,052.34
OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>654,305.42</b>	<b>43,673.14</b>	<b>10,213.88</b>	<b>122,731.40</b>	<b>96.60</b>	<b>230,714.09</b>	<b>14,580.00</b>	<b>4,860.00</b>	<b>25,087.94</b>	<b>1,156,362.46</b>

<b>Community Service Officer (PD)</b>											
Vacant	22.36	44,428.80	2,754.59	644.22	5,020.45	9.20	33,223.80	1,500.00	400.00	1,937.10	89,918.15
Marion, J	24.69	51,347.50	3,183.55	744.54	5,602.27	9.20	11,527.44	1,500.00	600.00	2,238.75	76,953.25
Vacation Liability 30% of total		1,766.00	109.49	25.61	0.00					77.00	1,978.10
Incentive Pay		832.00	51.58	12.06	89.86					36.28	1,021.78
OVERTIME		200.00	12.40	2.90						8.72	224.02
<b>Total</b>		<b>98,374.30</b>	<b>6,111.61</b>	<b>1,429.33</b>	<b>10,912.58</b>	<b>18.40</b>	<b>44,751.24</b>	<b>3,000.00</b>	<b>1,000.00</b>	<b>4,297.84</b>	<b>170,095.30</b>

<b>FY 2024-25 ANNUAL</b>											
		<b>74,880.00</b>	<b>4,642.56</b>	<b>1,085.76</b>	<b>15,462.72</b>	<b>9.20</b>	<b>66.96</b>	<b>1,500.00</b>	<b>400.00</b>	<b>2,815.49</b>	<b>100,862.69</b>
Police Officers		18,720.00	1,160.64	271.44	2,115.36	9.20	11,527.44	1,500.00	600.00	816.19	36,720.27
Civilian Employees											
<b>Total</b>											<b>137,582.96</b>

TOTAL NEEDED

**From:** Human Resources <[HR@lincolncountynm.gov](mailto:HR@lincolncountynm.gov)>

**Sent:** Wednesday, March 6, 2024 9:32 AM

**To:** Robert Knight <[rknight@ruidosodowns.us](mailto:rknight@ruidosodowns.us)>

**Subject:** Current Deputy Pay Scale

Good morning,

Please see the current pay scales for our deputies and sergeants.  
If you have any other questions, please feel free to reach out to me.

Effective 9/16/2023		
Uncertified	\$ 23.3757	
D 1	\$ 24.0769	100 hours advanced training
D 1.5	\$ 24.7992	150 hours advanced training
D 2	\$ 25.8584	12-24 months experience w/100 hours of advanced training
D 2.5	\$ 26.6341	150 hours advanced training
D 3	\$ 27.6552	25-60 months experience w/200 hours advanced training
D 3.5	\$ 28.4849	300 hours advanced training
D 4	\$ 29.4431	61-120 months experience w/over 400 hours advanced training
D 4.5	\$ 30.3264	450 hours advanced training
D 5	\$ 31.2499	121 months experience w/over 500 hours advanced training
D 5.5	\$ 32.1874	600 hours advanced training
<b><u>Sgt Pay (10% above deputy base rate)</u></b>		
D3S	\$ 30.4207	
D3.5S	\$ 31.3334	
D4S	\$ 32.3874	
D4.5S	\$ 33.3590	
D5S	\$ 34.3749	
D5.5S	\$ 35.4061	

**Regards,**

**Brianna Ventura**  
**HR Director/Admin. Assistant/PIO**  
**County of Lincoln**  
**(575) 937-0674-cell**  
**(575) 648-2385 ext. 100-office**  
**[hr@lincolncountynm.gov](mailto:hr@lincolncountynm.gov)**  
**[bventura@lincolncountynm.gov](mailto:bventura@lincolncountynm.gov)**

# Sheriff's Deputy - Certified

employee.job desc sheriff deputy

Please submit all completed applications to Brianna Ventura by email at [hr@lincolncountynm.gov](mailto:hr@lincolncountynm.gov), by mail to PO BOX 711, Carrizozo, NM 88301 or in person at 300 Central Avenue, Carrizozo, NM 88301.

Please request an application from [hr@lincolncountynm.gov](mailto:hr@lincolncountynm.gov) or print the application off at the link below and email to [hr@lincolncountynm.gov](mailto:hr@lincolncountynm.gov).

## **PAY RATE**

\$23.3757-\$32.1874/hrly - DOE

## **CLOSING DATE**

Until Filled

## APPLY OFFLINE

### **Completed applications can be submitted in person at:**

300 Central Avenue  
Carrizozo, NM 88301

**Email:** [hr@lincolncountynm.gov](mailto:hr@lincolncountynm.gov)

### **or by mail to:**

Human Resources  
PO BOX 711  
Carrizozo, NM 88301



## Village of Ruidoso Police Officer Certified

<b>SALARY</b>	\$45,760.00 - \$61,089.60 Annually	<b>LOCATION</b>	Ruidoso, NM
<b>JOB TYPE</b>	Full Time	<b>JOB NUMBER</b>	201900058
<b>DEPARTMENT</b>	Police Department	<b>OPENING DATE</b>	01/12/2021

### Classification Summary

***Great opportunity for competitive salary, excellent benefits and PERA retirement!***  
***The Village of Ruidoso is a Drug Free Workplace.***

Under general supervision, performs a variety of routine police work for the Ruidoso Police Department, on an assigned shift. Non-exempt FLSA

This position patrols the Village on an assigned shift in a radio-equipped vehicle to preserve law and order, including checking businesses and residences, discovering and preventing the commission of crimes, and enforcing state and municipal laws and ordinances.

### Duties and Responsibilities

*The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

- Checks for traffic hazards and illegal or unsafe activities.
- Responds to calls for assistance, including traffic accidents, assaults, fights, alarms, domestic disturbances, thefts, and other criminal or civil complaints.
- Works to strengthen police/community relations and as assigned accomplishes this by using avenues such as foot or bike patrol, and responds to questions/requests from the public.
- Intervenes in disputes, apprehends suspects, makes arrests, issues citations, identifies witnesses, conducts investigations, collects evidence, assists injured persons, and re-establishes law and order at the scene.
- Conducts follow-up investigations.
- Preserves crime scenes.
- Books arrested persons in accordance with state, federal, and departmental procedures.
- Types complaints, affidavits, warrants, writes reports, processes evidence.
- Presents cases and testifies in court.

### Other Responsibilities or Job Requirements

- Some positions may assist with criminal investigations, intelligence gathering, and undercover work.
- Transports suspects and persons with outstanding arrest warrants to jail facilities.
- May train other officers
- May serve on special assignments, such as special response team, DWI roadblocks, or narcotics task force.
- Responsible for maintenance program of assigned vehicles and special equipment.
- Ensures computer is backed up once a month and adheres to Village of Ruidoso IT Policies
- Adheres to all Village of Ruidoso's policies not limited to IT, Purchasing, and Personnel Manual



## Village of Ruidoso Patrol Officer - Non-Certified

<b>SALARY</b>	\$19.00 - \$22.00 Hourly \$39,520.00 - \$45,760.00 Annually	<b>LOCATION</b>	Ruidoso, NM
<b>JOB TYPE</b>	Full Time	<b>JOB NUMBER</b>	08-28-23-NC
<b>DEPARTMENT</b>	Police Department	<b>OPENING DATE</b>	09/05/2023
<b>CLOSING DATE</b>	Continuous		

### Classification Summary

Under immediate supervision, actively participates in the Police Academy training program. Performs all related learning and testing activities at a training level for preparation as a Police Officer. Patrol Officer performs a variety of routine police work for the Ruidoso Police Department, on an assigned shift. Non-exempt FLSA

This position patrols the Village on an assigned shift in a radio-equipped vehicle to preserve law and order, including checking businesses and residences, discovering and preventing the commission of crimes, and enforcing state and municipal laws and ordinances.

### Duties and Responsibilities

*The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

- Performs tasks employing patrol methods, community relations, courtroom procedures, fingerprinting, report preparation, physical agility and strength formulation, and other patrol officer-related duties commensurate with attained skills
- May assist an Officer in patrolling assigned areas of the Village in a car, bicycle, or on foot.
- Perform all work duties and activities in accordance with Village and Department policies, procedures, and safety practices.
- Learns criminal law, arrest and control techniques, use of firearms, report writing, vehicle operation, First Aid, CPR, narcotics, crowd control, court room demeanor, public relations, patrol procedures, physical conditioning and training.
- Checks for traffic hazards and illegal or unsafe activities.
- Responds to calls for assistance, including traffic accidents, assaults, fights, alarms, domestic disturbances, thefts, and other criminal or civil complaints.
- Works to strengthen police/community relations and as assigned accomplishes this by using avenues such as foot or bike patrol.
- Searches for missing persons and lost and stolen property.
- Intervenes in disputes, apprehends suspects, makes arrests, issues citations, identifies witnesses, conducts initial investigations, collects evidence, assists injured persons, and re-establishes law and order at the scene.
- Books arrested persons in accordance with state, federal, and departmental procedures.
- Types complaints, writes reports, processes evidence, and distributes copies to courts and superiors, issues warrants and subpoenas.



# We Are Hiring!

## The Carrizozo Police Department is currently hiring for a Certified Police Officer (Lateral Position)

### Minimum Qualifications

- 2 years Experience as a New Mexico Law Enforcement Officer
- Must be a United States citizen.
- Possess and maintain valid New Mexico driver's license with no DUI or DWI convictions.
- 21 years of age or older at the time of employment.
- Must be able to read and write the English language.
- Must have not been released or discharged under dishonorable conditions from any of the armed forces of the United States.
- Ability to meet and maintain departmental physical standards.
- Must have completed police academy training and be certified and/or willing to attend the New Mexico Police Academy to become certified.
- Valid New Mexico State Driver's license required.
- Must have a good driving record to be insurable for liability purposes.
- Must have good vision, hearing and reflexes.

### Salary and Benefits

- **Starting Salary is \$49,358.40 (\$53,518.40 after 6 months probation)**
- Paid Holidays, Vacation and Sick Time
- Paid Health Insurance and Life Insurance
- Dental and Vision Insurance
- Retirement through PERA

### To Apply:

Email us at: [carrizozopolice@tularosa.net](mailto:carrizozopolice@tularosa.net)

Contact Chief Diron Hill at (575) 648-2351 for more information.

or click here: [INDEED](#) to immediately apply

	Current Hourly Rate	2023-24 ANNU	FICA	MEDICARE	PERA	W/C	INSURANCE	C/ALLOW	S/L Pay	WCP	TOTAL
<b>Police Department</b>											
Police Chief, Commander Joe	37.82	73,291.20	4,544.05	1,062.72	14,768.18	9.20	66.96	1,500.00	400.00	2,755.75	98,398.06
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Deputy-Knight, Robert	34.42	68,140.80	4,224.73	988.04	13,730.37	9.20	21,969.72	1,500.00	500.00	2,562.09	113,624.96
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	500.00	1,881.68	101,071.94
Officer-Hanshaw, N	25.26	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
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OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>558,744.04</b>	<b>37,748.33</b>	<b>8,828.24</b>	<b>101,962.23</b>	<b>96.60</b>	<b>241,156.37</b>	<b>14,580.00</b>	<b>4,860.00</b>	<b>21,774.10</b>	<b>1,039,849.91</b>

# ORIGINAL BUDGET

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Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	500.00	1,881.68	101,071.94
Officer-Hanshaw, N	29.26	60,873.28	3,774.14	882.66	12,265.97	9.20	33,223.80	1,500.00	400.00	2,288.84	115,217.89
Officer- Vacant	24.06	55,417.84	3,435.91	803.56	11,166.69	9.20	33,223.80	1,500.00	500.00	2,083.71	108,140.71
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
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Incentive Pay		1,560.00	96.72	22.62	314.34					58.66	2,052.34
OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>590,095.24</b>	<b>39,692.10</b>	<b>9,282.83</b>	<b>108,279.50</b>	<b>96.60</b>	<b>241,156.37</b>	<b>14,580.00</b>	<b>4,860.00</b>	<b>22,952.91</b>	<b>1,081,095.55</b>

# Remove Community Service Officer Position And Increase 3 Police Officers \$4/hr.

<b>Community Service Officer (PD)</b>											
Marion, J	21.69	42,515.20	2,635.94	616.47	4,591.64	9.20	11,527.44	1,500.00	600.00	1,853.66	65,849.56
Vacation Liability 30% of total		1,766.00	109.49	25.61	0.00					77.00	1,978.10
Incentive Pay		832.00	51.58	12.06	89.86					36.28	1,021.78
OVERTIME		200.00	12.40	2.90						8.72	224.02
<b>Total</b>		<b>45,113.20</b>	<b>2,809.42</b>	<b>657.04</b>	<b>4,681.50</b>	<b>9.20</b>	<b>11,527.44</b>	<b>1,500.00</b>	<b>600.00</b>	<b>1,975.66</b>	<b>69,073.45</b>

	Current Hourly Rate	2023-24 ANNU	FICA	MEDICARE	PERA	W/C	INSURANCE	C/ALLOW	S/L Pay	WCP	TOTAL
<b>Police Department</b>											
Police Chief, Commander Joe	37.82	73,291.20	4,544.05	1,062.72	14,768.18	9.20	66.96	1,500.00	400.00	2,755.75	98,398.06
Officer-Becker, Karl	26.02	54,402.40	3,372.95	788.83	10,962.08	9.20	21,969.72	1,500.00	400.00	2,045.53	95,450.72
Officer-Malone, N	30.35	57,383.68	3,557.79	832.06	11,562.81	9.20	11,527.44	1,500.00	500.00	2,157.63	89,030.61
Deputy-Knight, Robert	34.42	68,140.80	4,224.73	988.04	13,730.37	9.20	21,969.72	1,500.00	500.00	2,562.09	113,624.96
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	500.00	1,881.68	101,071.94
Officer-Hanshaw, N	25.26	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
Officer- Vacant	24.06	55,417.84	3,435.91	803.56	11,166.69	9.20	33,223.80	1,500.00	500.00	2,083.71	108,140.71
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	400.00	1,881.68	100,971.94
Evidence Tech - Michael, R	19.47	39,383.92	2,441.80	571.07	4,253.46	9.20	21,969.72	1,500.00	400.00	941.28	71,470.45
Secretary-Villarreal, C	19.13	37,876.80	2,348.36	549.21	4,090.69	9.20	11,527.44	900.00	700.00	727.23	58,728.94
Full Time Laborer -Valdez, P 40%		7,977.00	494.57	115.67	861.52	4.60	8,787.89	180.00	160.00	417.99	18,999.24
Vacation Liability 30% of total		13,176.00	816.91	191.05	0.00					495.42	14,679.38
Incentive Pay		1,560.00	96.72	22.62	314.34					58.66	2,052.34
OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>558,744.04</b>	<b>37,748.33</b>	<b>8,828.24</b>	<b>101,962.23</b>	<b>96.60</b>	<b>230,714.09</b>	<b>14,580.00</b>	<b>4,860.00</b>	<b>21,774.10</b>	<b>1,029,407.63</b>

ORIGINAL BUDGET

<b>Community Service Officer (PD)</b>											
Vacant	18.36	40,539.20	2,513.43	587.82	4,378.23	9.20	33,223.80	1,500.00	400.00	1,767.51	84,919.19
Marion, J	21.69	42,515.20	2,635.94	616.47	4,591.64	9.20	11,527.44	1,500.00	600.00	1,853.66	65,849.56
Vacation Liability 30% of total		1,766.00	109.49	25.61	0.00					77.00	1,978.10
Incentive Pay		832.00	51.58	12.06	89.86					36.28	1,021.78
OVERTIME		200.00	12.40	2.90						8.72	224.02
<b>Total</b>		<b>85,652.40</b>	<b>5,322.85</b>	<b>1,244.86</b>	<b>9,059.73</b>	<b>18.40</b>	<b>44,751.24</b>	<b>3,000.00</b>	<b>1,000.00</b>	<b>3,743.16</b>	<b>153,992.64</b>

	Current Hourly Rate	2023-24 ANNU	FICA	MEDICARE	PERA	W/C	INSURANCE	C/ALLOW	S/L Pay	WCP	TOTAL
<b>Police Department</b>											
Police Chief, Commander Joe	37.82	73,291.20	4,544.05	1,062.72	14,768.18	9.20	66.96	1,500.00	400.00	2,755.75	98,398.06
Officer-Becker, Karl	30.02	62,441.60	3,871.38	905.40	12,581.98	9.20	21,969.72	1,500.00	400.00	2,347.80	106,027.09
Officer-Malone, N	34.35	71,448.00	4,429.78	1,036.00	14,396.77	9.20	21,969.72	1,500.00	500.00	2,686.44	117,975.91
Deputy-Knight, Robert	34.42	68,140.80	4,224.73	988.04	13,730.37	9.20	21,969.72	1,500.00	500.00	2,562.09	113,624.96
Officer-Vacant	24.06	50,044.80	3,102.78	725.65	10,084.03	9.20	33,223.80	1,500.00	500.00	1,881.68	101,071.94
Officer-Hanshaw, N	29.26	60,860.80	3,773.37	882.48	12,263.45	9.20	33,223.80	1,500.00	400.00	2,288.37	115,201.47
Officer- Vacant	24.06	55,417.84	3,435.91	803.56	11,166.69	9.20	33,223.80	1,500.00	500.00	2,083.71	108,140.71
Evidence Tech - Michael, R	19.47	39,383.92	2,441.80	571.07	4,253.46	9.20	21,969.72	1,500.00	400.00	941.28	71,470.45
Secretary-Villarreal, C	19.13	37,876.80	2,348.36	549.21	4,090.69	9.20	11,527.44	900.00	700.00	727.23	58,728.94
Full Time Laborer -Valdez, P 40%		7,977.00	494.57	115.67	861.52	4.60	8,787.89	180.00	160.00	417.99	18,999.24
Vacation Liability 30% of total		13,176.00	816.91	191.05	0.00					495.42	14,679.38
Incentive Pay		1,560.00	96.72	22.62	314.34					58.66	2,052.34
OVERTIME		50,100.00	3,106.20	726.45						1,883.76	55,816.41
<b>Total</b>		<b>541,618.76</b>	<b>36,686.56</b>	<b>8,579.92</b>	<b>98,511.49</b>	<b>87.40</b>	<b>207,932.57</b>	<b>13,080.00</b>	<b>4,460.00</b>	<b>21,130.19</b>	<b>982,186.89</b>

REMOVE 1 OFFICER POSITION  
AND INCREASE 3 OFFICERS \$4/HR.

<b>Community Service Officer (PD)</b>											
Vacant	18.36	40,539.20	2,513.43	587.82	4,378.23	9.20	33,223.80	1,500.00	400.00	1,767.51	84,919.19
Marion, J	21.69	42,515.20	2,635.94	616.47	4,591.64	9.20	11,527.44	1,500.00	600.00	1,853.66	65,849.56
Vacation Liability 30% of total		1,766.00	109.49	25.61	0.00					77.00	1,978.10
Incentive Pay		832.00	51.58	12.06	89.86					36.28	1,021.78
OVERTIME		200.00	12.40	2.90						8.72	224.02
<b>Total</b>		<b>85,652.40</b>	<b>5,322.85</b>	<b>1,244.86</b>	<b>9,059.73</b>	<b>18.40</b>	<b>44,751.24</b>	<b>3,000.00</b>	<b>1,000.00</b>	<b>3,743.16</b>	<b>153,992.64</b>

**AGENDA MEMORANDUM**  
**CITY OF RUIDOSO DOWNS**

NEW BUSINESS - A.

**To:** Mayor Holman and Councilors

**Presenter(s):** Mayor

**Meeting Date:** March 25, 2024

**Re:** Discussion and Possible Action on approval of the Sewer Line Maintenance Agreement for the Joint Interceptor Crossing at US Highway 70 Between the Village of Ruidoso and the City of Ruidoso Downs to Include Cardinal Drive and Swallow Drive.

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**Item Summary:**

The Joint Utility Board (JUB) reviewed the revision to the Sewer Line Maintenance Agreement for the Joint Interceptor Crossing.

The Village of Ruidoso Council has approved of this agreement at their Regular Council meeting, March 12, 2024.

**Financial Impact:**

Upon the execution of this Agreement, the Village shall bear seventy-five percent (75%) of the costs of maintenance of the Cardinal Drive sewer line and;

the City shall bear twenty-five percent (25%) of the costs of maintenance of the Cardinal Drive sewer line.

**Recommendations:**

To approve, the Sewer Line Maintenance Agreement for the Joint Interceptor Crossing at US Highway 70 Between the Village of Ruidoso and the City of Ruidoso Downs to Include Cardinal Drive and Swallow Drive.

**ATTACHMENTS:**

Description

Sewer Line Maintenance Agreement

## **SEWER LINE MAINTENANCE AGREEMENT**

**THIS SEWER LINE MAINTENANCE AGREEMENT**, (hereinafter the "Agreement") is entered into by and between the City of Ruidoso, (hereinafter "City"), the Village of Ruidoso (hereinafter "Village") (collectively, hereinafter referred to as the "Parties") to be effective upon the signature of the governing bodies of each of the Parties.

**WHEREAS**, the Village and the City entered into that certain Joint Powers Agreement on or about the 3<sup>rd</sup> day of July, 1974 forming a Joint Use Board for the implementation of planning, construction and regional control of wastewater treatment facilities; and

**WHEREAS**, the City and the Village thereafter constructed and now operate a regional wastewater treatment plant (RWWTP); and

**WHEREAS**, there exists along Cardinal Drive within the city limits of the City of Ruidoso Downs a sewer line connecting several lots within the City of Ruidoso Downs and the Village of Ruidoso to the main interceptor line that connects to the RWWTP (hereinafter "the Cardinal Drive sewer line"); and

**WHEREAS**, the Cardinal Drive sewer line stops at or immediately before the city limits of the City and the Village; and

**WHEREAS**, there are approximately twenty (20) lots located within the city limits of the City of Ruidoso Downs that are or can be connected to the Cardinal Drive sewer line; and

**WHEREAS**, there are approximately sixty (60) lots located within the village limits of the Village of Ruidoso that are or can be connected to the Cardinal Drive sewer line; and

**WHEREAS**, the governing bodies of both municipalities have agreed that connecting the lots within the village limits of the Village of Ruidoso to the Cardinal Drive sewer line would increase efficiencies and improve the health, safety, and welfare of the residents of both municipalities; and

**WHEREAS**, the governing bodies of both municipalities desire to enter into this agreement to allow residents of the Village to connect to the Cardinal Drive sewer line.

**WHEREAS**, the governing bodies of both municipalities have agreed that all costs associated with the extension and maintenance of the Cardinal Drive sewer line shall be shared according to the terms of this Agreement.

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledges, the Parties agree as follows:

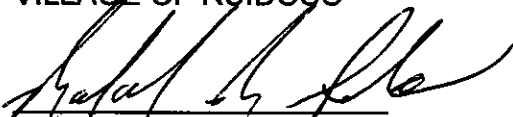
1. The City of Ruidoso Downs shall grant to the Village of Ruidoso right-of-way access for the connection of lots located within the Village to the Cardinal Drive sewer line.
2. Application for connection of any lots to the Cardinal Drive sewer line shall require the signature of the Village Manager or the Public Works Director of the Village of Ruidoso and the signature of the City Clerk or Public Works Director for the City of Ruidoso Downs. All connections shall be reported to the Chair of the Joint Use Board prior to connecting to the Cardinal Drive sewer line. Approval from the City or the Village for additional connections to the Cardinal Drive sewer line shall not be unreasonably withheld.
3. The Village may connect up to seventy-four (74) residential and commercial lots to the Cardinal Drive sewer line and the City may connect up to twenty-three (23) residential and commercial lots to the Cardinal Drive sewer line. In the event that the Village or the City identifies additional lots that can be connected to the Cardinal Drive sewer line, such lots may be connected to the Cardinal Drive sewer line upon the approval of the Joint Use Board, which approval shall not be unreasonably withheld.
4. The Village shall pay for all costs associated with connection of additional lots to the Cardinal Drive sewer line in the Village limits and the City shall pay for all costs associated with connections of additional lots to the Cardinal Drive sewer line in the City limits.
5. The Village and the City shall share the costs of maintenance of the Cardinal Drive sewer line on a proportional basis according to potential number of lots in each municipality that are connected to the Cardinal Drive sewer line. Upon the execution of this Agreement, the Village shall bear seventy-five percent (75%) of the costs of maintenance of the Cardinal Drive sewer line and the City shall bear twenty-five percent (25%) of the costs of maintenance of the Cardinal Drive sewer line. In the event that additional lots are identified within the Village or the City that can be connected to the Cardinal Drive sewer line, the proportionate share of maintenance costs may be adjusted upon agreement of the parties.
6. The Village or the City may use its equipment and labor as in-kind payment for the costs of maintenance of the Cardinal Drive sewer line.
7. By entering into this Agreement, the Village, City and their public employees as defined in the New Mexico Tort Claims Act, *supra*, do not waive sovereign immunity, do not waive any defenses and do not waive any limitations of liability pursuant to law. No provision in the Agreement shall be interpreted to modify or waive any provisions of the New Mexico Tort Claims Act, *supra*.
8. Each Party agrees to indemnify the other against all liability, demands, claims, suits, losses, damages, causes of action or judgments, including costs, attorneys'

and witness fees and expenses incident thereto for injury to persons or property arising out of its performance of duties under this Agreement.

9. Any covenant, term, agreement or condition contained herein which is held to be invalid by any court of competent jurisdiction shall be considered deleted from this, but such deletion shall in no manner affect any other covenant, term, agreement or condition herein contained, so long as such deletion does not materially prejudice the City or the Village in their respective rights contained in the valid covenants, terms, agreements or conditions of this Agreement.
10. This instrument contains the entire agreement between the parties. No statements, promises or inducements made by either party or agent of either party that is not contained in this written Agreement shall be valid or binding; and this Agreement may not be enlarged, modified, or altered except in writing signed by all parties.
11. This Agreement shall be construed according to the laws of the State of New Mexico, and the District Court of the Twelfth Judicial District shall be the appropriate forum and venue for any litigation between the parties hereto.
12. This Agreement may be terminated by the parties pursuant to the terms and conditions of an additional written agreement as contemplated herein.


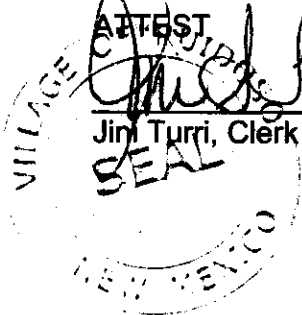
**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the date and year hereinabove written.

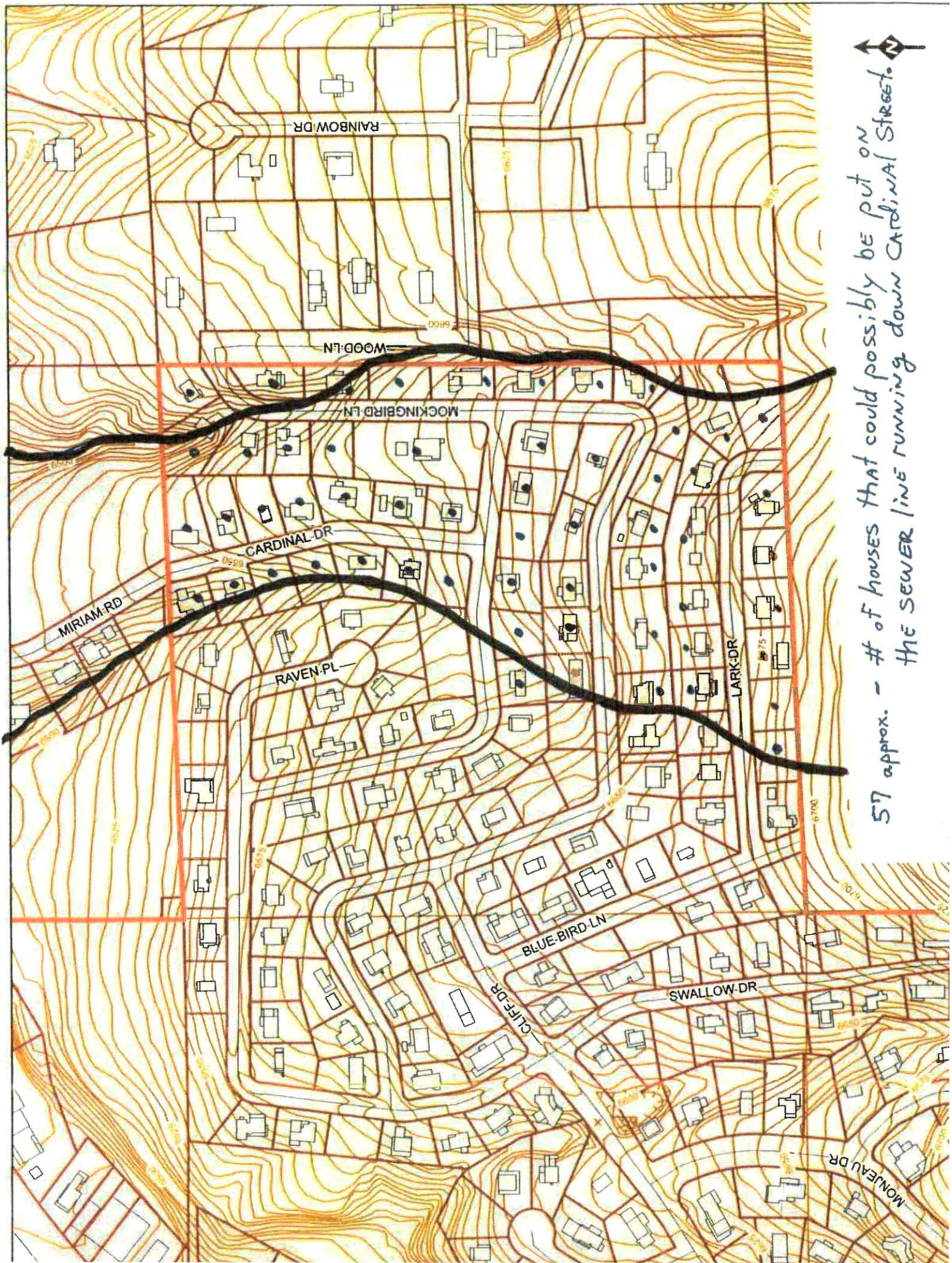
VILLAGE OF RUIDOSO

  
Lynn Crawford, Mayor

CITY OF RUIDOSO DOWNS

\_\_\_\_\_

ATTEST  
  
Jini Turri, Clerk  
SEAL  




57 approx. - # of houses that could possibly be put on the sewer line running down CARDINAL Street.

**AGENDA MEMORANDUM**  
**CITY OF RUIDOSO DOWNS**

NEW BUSINESS - B.

**To:** Mayor Holman and Councilors

**Presenter(s):** Deputy Police Chief

**Meeting Date:** March 25, 2024

**Re:** Discussion and Possible Action on approval of Submittal of the NMDFA Grant Application for Law Enforcement Protection Funds.

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**Item Summary:**

The application process for the Law Enforcement Protection Fund is again upon is for the upcoming fiscal year. The state offers police departments the monies involved from this grant to supplement financial needs within the Ruidoso Downs Police Department. The grant application is due to the state no later than March 31, 2024, thus TIME IS OF THE ESSENCE.

The police department prays you review and approve the application process for the listed grant. This grant usually funds new equipment for the department, usually police vehicles and outfitting.

**Financial Impact:**

The grant funds \$95,000.00 plus an additional \$1500.00 per officer employed. The grand total for this year's award would likely be \$102,500.00.

**Recommendations:**

To approve, submittal of the NMDFA Grant Application for Law Enforcement Protection Funds.

**ATTACHMENTS:**

Description

2024-24 LEPF Grant Application Information.



## Checklist for Contracts/Agreements/Change Orders/Grants for City Council Approval

03/06/2024

Deputy Chief R. Knight #801

Date

Person Responsible for the Submission

Law Enforcement Protection Fund Grant Approval

Title or Subject Matter

We are seeking: ☐ Finance Director Approval  
☐ Attorney Approval  
☒ City Council Approval  
☐ Concurrent Approval

*See Instructions for complete guidance. For each step below, Person Responsible for Submission should check Yes or No in the "Required" field and enter the date of completion if required. Please submit this form with the final version of the documents that are ready for posting.*

Required Yes? No?	Date	Item
Yes	03/06	The person in charge of the project has reviewed and approved the project and supporting documents to be submitted.
Yes	03/06	Finance Director has reviewed and approved the Procurement, Financial terms, and any budgetary requirements.
Yes	03/06	City Attorney's Office has reviewed and approved any contract, task order, Grant, or other legal document associated with the project or has authorized the project to move forward pending final review.
		Approval of the appropriate Commission or Board has been obtained, and the date and fact of approval have been included in with supporting documents.
Yes	03/06	A draft resolution or motion is attached.
		If not attached, a draft resolution or motion has been submitted to or requested from the City Attorney's Office.
Yes	03/06	Mayor's Office has been informed of the project and has agreed that the project is ready to present to the Council for approval. If the item is to be approved by motion, Mayor has approved it.
Yes	03/06	The person in charge of the project upload into NovusAgenda, supporting documents, and included this checklist.

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

LOCAL GOVERNMENT DIVISION

County/Municipality/School District/University

Application for Law Enforcement Protection Funds (LEPF)

For Fiscal Year July 1, 2024 – June 30, 2025

Name of Local Entity Applying for LEPF: RUIDOSO DOWNS P.D.

STATUTORY COMPLIANCE CERTIFICATION

*Under penalty of law, I hereby certify that to the best of my knowledge and belief, my local law enforcement agency is in compliance with the statutory requirements stated below: [Police Chief or Sheriff must initial each section. Indicate "N/A" if section doesn't apply to your local law enforcement agency.]*

1. dfc By initialing, I hereby certify that my local law enforcement agency is in compliance with Section 29-3-11.C. NMSA 1978: Every law enforcement agency in the state shall: (1) submit crime incident reports to the department of public safety on forms or in the format prescribed by the department; (2) submit any other crime incident information as may be required by the department of public safety; and (3) use the unique code assigned to the crime from the master charge code table distributed by the New Mexico justice information sharing council for the automated fingerprint identification system and use uniform crime incident reporting as provided by the department for all incidents and arrests.
2. dfc By initialing, I hereby certify that my local law enforcement agency is in compliance with Section 29-7-7.1.B. NMSA 1978: Each certified police officer shall provide proof of completing in-service law enforcement training requirements to the officer's law enforcement agency and the executive director no later than March 1 of the year in which the requirements must be met. The executive director shall provide annual notice to all certified police officers regarding in-service law enforcement training requirements. Failure to complete in-service law enforcement training requirements or failure to report completion to the board may be grounds for suspension of a police officer's certification and may result in the state withholding the law enforcement agency's law enforcement protection fund distribution. A police officer's certification may be reinstated by the board when the police officer presents the board with evidence of satisfying in-service law enforcement training requirements.
3. dfc By initialing, I hereby certify that my local law enforcement agency is in compliance with Section 29-7-7.2. NMSA 1978: Every law enforcement agency within the state shall submit quarterly a report to the director on the status of each police officer employed by the law enforcement agency. The reports shall include the status of in-service law enforcement training. The reporting forms and submittal dates shall be prescribed by the director.

4. gc By initialing, I hereby certify that my local law enforcement agency is in compliance with Section 29-7C-7. NMSA 1978: A. In-service telecommunicator training consists of at least twenty hours of board-approved advanced training, including one hour of crisis management, including crisis intervention, confrontation de-escalation practicum and proper interaction with persons with mental impairments training, for each certified telecommunicator during each two-year period. The first training course shall commence no later than twelve months after graduation from a board-approved basic telecommunicator training program. B. A certified telecommunicator shall provide proof of completion of in-service training requirements to the director no later than March 1 of the year subsequent to the year in which the requirements are met. The director shall provide annual notice to all certified telecommunicators regarding in-service training requirements. Failure to complete in-service training requirements may be grounds for suspension of a telecommunicator's certification at the director's discretion. A telecommunicator may be reinstated at the discretion of the director when the telecommunicator presents to the director evidence the telecommunicator has satisfied the in-service training requirements.
5. gc By initialing, I hereby certify that my local law enforcement agency is in compliance with Section 29-7C-8. NMSA 1978: A. A safety agency that operates within the state shall submit a quarterly report to the director on the status of each telecommunicator. The reporting forms and submittal dates shall be prescribed by the director. B. The director shall maintain a roster of all certified telecommunicators.

#### APPLICATION CERTIFICATION

*Under penalty of law, we hereby certify that to the best of our knowledge and belief, the information contained in this application and supporting documentation is correct, and that all expenditures of Law Enforcement Protection Fund monies will be made in accordance with Sections 29-13-7 and 29-13-9 NMSA 1978 as well as Rule 2 NMAC 110.3.*

##### Section 1: Must be signed by Police Chief or Sheriff

Signature: Joe Commander Date: 3/06/2024

Printed Name: JOE COMMANDER Title: Police Chief

##### Section 2: Must be signed by Mayor, County Chairman, School Superintendent, or University Chief Financial Officer

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

LOCAL GOVERNMENT DIVISION

County/Municipality/School District/University

Application for Law Enforcement Protection Funds (LEPF)

For Fiscal Year July 1, 2024 – June 30, 2025

Name of Local Entity Applying for LEPF: RUIDOSO DOWNS P.D.

ACADEMY ROSTER

NUMBER	CADET FULL NAME	ACADEMY NAME	ESTIMATED GRADUATION DATE*
1	NONE	—	—
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

LOCAL GOVERNMENT DIVISION

County/Municipality/School District

Application for Law Enforcement Protection Funds (LEPF)

For Fiscal Year July 1, 2024 – June 30, 2025

Name of Local Entity Applying for LEPF: RUIDOSO DOWNS P.D.

SCHOOL RESOURCE OFFICER ROSTER\*

NUMBER	SCHOOL RESOURCE OFFICER FULL NAME	CERTIFICATE NUMBER
1	NONE	—
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

*\*Officers listed must be assigned as school resource officers in order to be counted for additional funding to be used for training.*

Add additional rows to this form as needed. Don't forget to upload form to online LEPF application.

## Workforce

## Requested Personnel Changes (2)

Requested For	Title/Rank	Hire Date	Change Requested	Requested By	Requested ▾	Request Status
Friberg, Andrew D	[Missing Title/Rank]	02/18/2004	Update existing employee	Knight, Robert B	03/04/2024	Rejected - Please Effective Date of with your HR Department and resubmit with a separation date have questions, email layla.reyes@dp
Flores, Albert	[Missing Title/Rank]	12/06/1997	Update existing employee	Knight, Robert B	03/04/2024	Rejected - Please Effective Date of with your HR Department and resubmit with a separation date have questions, email layla.reyes@dp

THESE TWO HAVE NOT BEEN EMPLOYED FOR THE DEPARTMENT FOR YEARS.

THIS HAPPENED LONG BEFORE I WAS HIRED AS DEPUTY CHIEF.

FF/HS01

Showing 2

Personnel ~~(7)~~ 5

 Filters

## Add Employee

By default, only active personnel are displayed. Show all personnel

Name ▲		Certification #	Organization	Title/Rank	Employment Type* / Appointment Type*	Last Hired	SI
Becker, Karl J	✉	09-0002-P	Ruidoso Downs Police Department	Patrol Officer	Full Time Permanent	04/30/2021	
Commander, Joe	✉	23-0205-P	Ruidoso Downs Police Department	Chief	Full Time	10/12/2022	
Flowers, Albert Jr	✉	95-0011-PR SEE ABOVE	Ruidoso Downs	[Missing Title/Rank]		12/06/1997	

Name ▲	Certification #	Organization	Title/Rank	Employment Type* / Appointment Type*	Last Hired	Si
		Police Department				
<b>Friberg, Andrew D</b>	04-0120-PS <i>SEE ABOVE</i>	Ruidoso Downs Police Department	[Missing Title/Rank]	Full Time	02/18/2004	
Hanshaw, Nickolas	✉ 23-0206-P	Ruidoso Downs Police Department	Patrol Officer	Full Time	11/18/2022	
Knight, Robert B	✉ 18-0183-P	Ruidoso Downs Police Department	Deputy Chief	Full Time Permanent	02/28/2019	
Malone, Nicholas K	✉ 21-0263-P	Ruidoso Downs Police Department	Patrol Officer	Full Time Permanent	10/26/2020	

Showing 7

**AGENDA MEMORANDUM**  
**CITY OF RUIDOSO DOWNS**

NEW BUSINESS - C.

**To:** Mayor Holman and Councilors

**Presenter(s):** Mayor

**Meeting Date:** March 25, 2024

**Re:** Discussion and Possible Action on the Appointment of Fire Chief, Heath Keck to the Consolidated Joint Dispatch Board.

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**Item Summary:**

The Mayor submits for approval, Fire Chief, Heath Keck, to the Consolidated Joint Dispatch Board.

The next scheduled meeting for the Consolidated Joint Dispatch Board is Wednesday, April 10, 2024 at the Village of Ruidoso Council Chambers.

**Financial Impact:**

This item has no financial impact.

**Recommendations:**

To approve, the Appointment of Fire Chief, Heath Keck to the Consolidated Joint Dispatch Board.

**ATTACHMENTS:**

Description

CORD Dispatch membership inquiry

## Selena Chavez

---

**From:** Yvonne Bartz <YvonneBartz@ruidoso-nm.gov>  
**Sent:** Friday, March 15, 2024 9:48 AM  
**To:** Ally Giron; Selena Chavez  
**Cc:** Jini Turri; Lawrence Chavez  
**Subject:** Consolidated Dispatch Joint Board

Good morning,

Meetings of the Consolidated Dispatch Joint Board will resume next month.

The last time the meetings were held, the following individuals from the City of Ruidoso Downs were on the board:

Jimmy Romero – Councilor and Mayor Pro Tem  
Kenny Ellard – Assistant Fire Chief  
Carroll Scott – Police Chief

Will you please verify with your Mayor that these will be the board members, or if he will be appointing other members?

The meetings will be held quarterly at the Village of Ruidoso Council Chambers.

The Schedule of meetings for 2024 is as follows:

April 10, 2024, 1:00 p.m.  
July 10, 2024, 1:00 p.m.  
October 9, 2024, 1:00 p.m.

Yvonne Bartz  
Deputy Clerk  
575-258-4343



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**AGENDA MEMORANDUM**  
**CITY OF RUIDOSO DOWNS**

NEW BUSINESS - D.

**To:** Mayor Holman and Councilors

**Presenter(s):** Mayor

**Meeting Date:** March 25, 2024

**Re:** Discussion and Possible Action on the Appointment of Mayor Pro-Tem, Judy Miller to the Consolidated Joint Dispatch Board.

---

**Item Summary:**

The Mayor submits for approval, Mayor Pro-Tem, Judy Miller, to the Consolidated Joint Dispatch Board.

The next scheduled meeting for the Consolidated Joint Dispatch Board is Wednesday, April 10, 2024 at the Village of Ruidoso Council Chambers.

**Financial Impact:**

This item has no financial impact.

**Recommendations:**

To approve, the Appointment of Mayor Pro-Tem, Judy Miller to the Consolidated Joint Dispatch Board.

**ATTACHMENTS:**

Description

CORD Dispatch membership inquiry

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