

RESOLUTION NO. 2018-04
ALTO LAKES WATER & SANITATION DISTRICT

Resolution to Promulgate, Publish and Post Election Proclamation
For
January 09, 2018 Board Election

WHEREAS, pursuant to the Water & Sanitation District Act (NMSA §§73-21-1 to 73-21-55 as modified by District Bylaws) the Alto Lakes Water & Sanitation District (“District”) must hold an election for positions on its Board of Directors (“Board”) on the second Tuesday of January in every even year; and

WHEREAS, this election will be conducted in accordance with the NMSA election laws and as provided herein, and

WHEREAS, the District is required to hold a Board election on January 09, 2018 (“Election”); and

WHEREAS, pursuant to NMSA §73-21-14, “Nominations may be filed with the Secretary of the Board, and, if a nominee does not withdraw the nominee's name before the first publication of the notice of election, the name shall be placed on the ballot and the board shall provide for holding such election and shall appoint judges to conduct it. The Secretary of the District shall give notice of the election by publication and shall arrange such other details in connection with the election as the board may direct”; and

WHEREAS, at the Election, qualified electors of the District will fill the position of any Board member whose term has expired; and

WHEREAS, all five (5) Board positions are for a term of six (6) years; and

WHEREAS, two (2) Board Member positions will be elected at this Election, Position #5 and Position #3.

WHEREAS, the term of Position #5 will be a full six (6) year term expiring in 2024; and the term for Position #3 will be a partial term of two (2) years expiring in 2020 to fulfill term of recently resigned Board Member.

WHEREAS, pursuant to the Water & Sanitation District Act (NMSA §§73-21-1 to 73-21-55), qualified electors eligible to vote in the January 09, 2018 election shall be a person, registered to vote in any precinct in the state of New Mexico, who

1. is a resident of the district;
2. is a nonresident of the district who pays, or will be liable for paying, rates, tolls or charges set by the board; or
3. is a nonresident of the district who either has paid or incurred a general tax liability on real property within the district in the twelve months immediately preceding a designated time or event or who is purchasing real property within the district under a real estate contract where a property tax has been paid or incurred on the real property in the twelve months immediately preceding a designated time or event; and

WHEREAS, the Board has caused to be prepared a Proclamation of Election announcing the Board member election to be held on January 09, 2018 at the District Office at 214 Lake Shore Drive, Alto, New Mexico 88312 from the hours 8:00 AM to 7:00 PM.

NOW, THEREFORE, be it resolved by the Board of Directors of the Alto Lakes Water & Sanitation District that:

1. The Proclamation of Election presented to the Board at the Board's Regular Meeting on October 26, 2017, is adopted as the Board's formal Proclamation of the January 09, 2018 Board election. Provided that, following the December 08, 2017 deadline for submitting Declarations of Candidacy, the names of the candidates shall be published in "Notice of Election".

2. The Proclamation of Election adopted by the Board on October 26, 2017 will be published for three (3) consecutive weeks on November 08, 2017, November 15, 2017 and November 22, 2017 in the Ruidoso News, a newspaper of general circulation in Lincoln County, New Mexico.

3. After the December 08, 2017 deadline for submitting Declarations of Candidacy, the Board will publish the Notice of Election containing the names of the candidates. The Secretary of the Board shall cause the Notice of Election containing the names of the candidates to be published weekly for three (3) consecutive weeks in the Ruidoso News, a newspaper of general circulation in Lincoln County, New Mexico. Provided that the last date of publication shall occur no earlier than January 1, 2018 and no later than January 8, 2018; the dates of publication will be December 22, 2017, December 29, 2017, and January 5, 2018.

4. The Proclamation of Election and the Notice of Election shall be posted at conspicuous places in precinct 5 of Lincoln County (the ALW&SD District office) and on the District's web site.

5. In addition to Election Day voting, the District secretary shall provide for absentee voting. Applications for absentee ballots may be made only on a form available from the District. Applications may be requested by mail from the District at P.O. Box 750, Alto, New Mexico 88312 or by telephone (575)336-4333. Applications for absentee ballots may also be obtained in person during regular business hours at the District's Business office located 214 Lake Shore Drive, Alto, New Mexico 88312 until 6:00 p.m. on Saturday, January 6, 2018. Absentee ballots will be mailed out and available at the District office commencing at 8:30 AM on December 12, 2017. A cut off date for the District to accept applications for mail back absentee ballots will be 5:00 PM on Friday, January 5, 2018. Completed absentee ballots may be delivered by mail to the ALW&SD, P.O. Box 750, Alto, New Mexico 88312 or delivered by courier or in person to the District's Business office at 214 Lake Shore Drive, Alto, New Mexico 88312 and must be received no later than 7:00 p.m. on Tuesday, January 09, 2018.

6. Provisional Ballots will be allowed where a person claims he/she is eligible to vote but does not appear on the elector list and provides the election judges with (1) proof of a residence within the District including a District water service bill in name of the proposed voter, a utility bill in name of the proposed voter showing a residence address within the District service area, or other identification showing that the proposed voter has a residence within the District; or (2) proof of a tax bill and payment of real property tax within the District by the proposed voter within the preceding twelve (12) months; or (3) proof that the proposed voter is purchasing real property within the District under a closed real estate contract where a property tax has been paid or incurred on the real property in the preceding twelve (12) months; or (4) other acceptable proof of eligibility to vote as determined by the Secretary of the Board.

7. The Secretary of the Board shall disseminate Election information by such other means as he/she deems appropriate, so that notice of the Election shall reach qualified electors of the District.

8. Each candidate for election shall be required to be a qualified elector of the District as determined by the District Secretary under the definition of “qualified elector” contained in this Proclamation/Resolution. Candidates will be required to declare for election by completion of a declaration form at the District Office during regular business hours between the dates of November 20 to December 08, 2017. Proposed candidates will be required to furnish the District proof of being a qualified elector under the definition of a qualified elector contained herein at the time their declaration form is submitted to the District employee at the District office located at 214 Lake Shore Drive, Alto, New Mexico 88312.

PASSED, APPROVED AND ADOPTED this 26th day of October, 2017.

BOARD OF DIRECTORS OF THE ALTO LAKES WATER & SANITATION DISTRICT

By: _____
Daniel B. Knorr, Board President

ACKNOWLEDGEMENT:

Comes Now, Gary Parker, Secretary of the Board of Directors of the Alto Lakes Water and Sanitation District and certifies that the above is a true and correct statement of a Resolution 2018-04 adopted by the Board on the 26nd day of October, 2017.

Gary Parker, Secretary