



CIBOLA COUNTY BOARD OF COMMISSIONERS

Robert Armijo
Chairman

Daniel Torrez
1st Vice Chairman

Jack Moler
2nd Vice Chairman

Robert Windhorst
Commissioner

Martha Garcia
Commissioner

**Special Meeting
April 30th, 2018
9:30 a.m.**

**Cibola County Commission Chambers
700 E. Roosevelt Ave., Suite 50**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Prayer**
5. **Approval of Agenda**

6. **New Business – Action May Be Taken**

- a. Consideration of Resolution 18-32-A Resolution Amending Resolution 17-28 as to Mesita Precinct 21 (and Paraje Precinct 24)

7. **Announcements**

The next Regular Commission Meeting will be held on Thursday, May 24th, 2018 at 5:00p.m. in the Cibola County Commission Chambers.

8. **Adjournment**

If you are an individual with a disability 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 Cibola County Administration Building, 700 East Roosevelt Ave., Suite 50, Grants, NM 87020, phone (505) 287-9431 at least one (1) week prior to the meeting or as soon as possible. Public document including the agenda and minutes, can be provided in various accessible formats. Please contact the Cibola County Administration if a summary or other type of accessible format is needed.



(EXHIBIT A)

CIBOLA COUNTY

BOARD OF COUNTY COMMISSIONERS

RESOLUTION Nº 18 -32

A RESOLUTION AMENDING RESOLUTION No. 17-28 AS TO MESITA PRECINCT 21 AND PARAJE PRECINCT 24

WHEREAS, on July 27, 2017 the Cibola County Board of Commissioners designated polling places for the 2018 Primary and General Elections in accordance with NMSA 1978, Section 1-3-2 and 1-3-7 (2017) via "A Resolution Designating the Polling Places for the 2018 Primary and General Elections for Cibola County";

WHEREAS, the polling place originally designated for Precinct 21, Mesita Recreation Hall and Precinct 24, Paraje Recreation Hall, will either be under renovation or demolished and is unable to serve as a polling place for the Primary Election on June 5, 2018 and the General Election on November 6, 2018.

WHEREAS, the most convenient and suitable building that can be obtained to serve as a polling place in Precinct 21 would be the Mesita Facility, 1 Industrial Parkway Loop, Building B, Mesita, NM 87026 and in Precinct 24 would be the "New" Paraje Recreation Hall for the Primary Election on June 5, 2018 and the General Election on November 6, 2018;

WHEREAS, NMSA 1978 1-3-7(B) (2017) provides that "The Board of County Commissioners shall designate as the polling place or places, as the case may be, in each precinct, other than a mail ballot election precinct, the most convenient and suitable public building or public school building in the precinct that can be obtained."

WHEREAS, the Board of County Commissioners recognizes that in order to validly effect this change within four (4) months of an election, the District Court must issue an Order pursuant to NMSA 1978, Section 1-3-5 (2017).

NOW, THEREFORE, BE IT HEREBY RESOLVED that, pending order of the District Court, Cibola County hereby designates the Mesita Facility, Mesita, NM 87026 for Precinct 21 and the “New” Paraje Recreation Hall, Paraje, NM 87007 as the polling place for Cibola County, New Mexico, for the Primary Election on June 5, 2018 and the General Election on November 6, 2018.

PASSED, APPROVED, AND ADOPTED THIS 30th DAY OF APRIL, 2018

CIBOLA BOARD OF COUNTY COMMISSIONERS

Robert Armijo, Chairman

Daniel Torrez, 1st Vice Chairman

Jack Moleres, 2nd Vice Chairman

Martha Garcia, Commissioner

Robert Windhorst, Commissioner

ATTEST:

Michelle E. Dominguez, Cibola County Clerk

Date: _____

SEAL

STATE OF NEW MEXICO
COUNTY OF CIBOLA
THIRTEENTH JUDICIAL DISTRICT COURT

IN RE THE DESIGNATION AND
CHANGE OF POLLING PLACE FOR
CIBOLA COUNTY FROM MESITA
RECREATION HALL, PRECINCT 21 TO
THE MESITA FACILITY,
1 INDUSTRIAL PARKWAY LOOP,
BUILDING B, MESITA, NM 87026

Case No. _____

PETITION TO ALLOW CHANGE OF POLLING PLACE

COMES NOW, Michelle E. Dominguez, County Clerk for Cibola County, requests an order allowing a change in the polling place for Precinct 21 for the Primary Election on June 5, 2018 and General Election on November 6, 2018. In support of this motion petitioner states the following:

1. NMSA 1978 1-3-7(B) (2017) provides that "The Board of County Commissioners shall designate as the polling place or places, as the case may be, in each precinct, other than a mail ballot election precinct, the most convenient and suitable public building or public school building in the precinct that can be obtained."
2. However, NMSA 1978 1-3-5 (2017) states that " No precinct shall be created, divided, abolished or consolidated or the boundaries or polling place therein changed less than four months prior to each election, except by order of the district court."
3. The polling place for Precinct 21 in Cibola County, was scheduled to be at Mesita Recreation Hall.
4. This polling place cannot be used for the upcoming Primary Election and General Election because it will be demolished.
5. The most convenient and suitable building that can be obtained in Precinct 21 for the Primary and General Election is the Mesita Facility, 1 Industrial Parkway Loop, Building B, Mesita, NM 87026.
6. The Cibola County Board of Commissioners, by Resolution has designated the Mesita Recreation Hall, 20 Roadrunner Road, Mesita, NM 87026 as the polling place for the Primary Election on June 5, 2018 and the General Election on November 6, 2018, pending approval by this Honorable Court. See Resolution copy attached as Exhibit A.

WHEREFORE Petitioner respectfully requests the Court enter an Order:

1. Relocating the polling place for Precinct 21 from the Mesita Recreation Hall to the Mesita Facility, 1 Industrial Parkway Loop, Building B, Mesita, NM 87026 for the Primary Election on June 5, 2018 and the General Election on November 6, 2018.
2. Asking the Board of Cibola County Commissioners to send a certified copy of the Order to the New Mexico Secretary of State and to the County Chairman of each major political parties as soon as practicable;
3. Providing written notice to the Secretary of State and to the County Chairman of each of the major political parties as soon as possible;
4. That the County Commission shall publish the Order once in a newspaper as provided in the Election code under NMSA 1-3-8 (2017) and NMSA 1-1-14 (2017) as soon as practicable;
5. To post this Order in a safe and conspicuous location in English and Spanish or any language as required at the prior polling location and at the new polling place;
6. To post this Order in a prominent location in the community in English, Spanish, or any other language as required; and
7. To contact a local radio station and newspaper and inform them of this Order.

Respectfully submitted,

Cibola County Commissioners
700 E. Roosevelt Suite 50
Grants, NM 87020

STATE OF NEW MEXICO
COUNTY OF CIBOLA
THIRTEENTH JUDICIAL DISTRICT COURT

IN RE THE DESIGNATION AND
CHANGE OF POLLING PLACE FOR
CIBOLA COUNTY FROM MESITA
RECREATION HALL PRECINCT 21 TO
THE MESITA FACILITY, 1 INDUSTRIAL
PARKWAY LOOP, BUILDING B,
MESITA, NM 87026

Case No. _____

ORDER APPROVING PETITION TO ALLOW CHANGE OF POLLING PLACE

THIS MATTER having come before the Court on the Cibola County Clerk's Petition to Allow Change of Polling Place and the Court being otherwise fully advised in premises FINDS as follows:

1. The polling place that was scheduled for Precinct 21 Mesita Recreation Hall will be demolished and cannot be used as a polling place for the upcoming Primary Election on June 5, 2018 and the General Election on November 6, 2018.
2. The most convenient and suitable building that can be obtained in Precinct 21 for the Primary Election and the General Election is the Mesita Facility, 1 Industrial Parkway Loop, Building B, Mesita, NM 87026.
3. Mesita Recreation Hall was designated as the polling place for Precinct 21 for the upcoming Primary Election on June 5, 2018 and the General Election on November 6, 2018 by Resolution No. 17-28 (2017) of the Board of County Commissioners on July 27, 2017.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. The polling place for Precinct 21 shall be relocated from Mesita Recreation Hall to the Mesita Facility, 1 Industrial Parkway Loop, Building B, Mesita, NM 87026 for the upcoming Primary Election on June 5, 2018 and the General Election on November 6, 2018.
2. The Board of County Commissioners shall send a certified copy of this Order to the New Mexico Secretary of State and to the County Chairman of each of the major political parties as soon as practicable;
3. That the County Commission shall publish this Order once in a newspaper as provided in the Election Code under NMSA 1-3-8 and NMSA 1-1-14 (2017) as soon as practicable;
4. The County Clerk shall post this Order in a safe and conspicuous location in English and Spanish or any language as required at the prior polling location and at the new polling place;

5. The Cibola County Clerk shall post this Order in a prominent location in the community in English, Spanish, or any language as required; and
6. The Cibola County Clerk shall contact a local radio station and newspaper and inform them of this Order.

THE HONORABLE PEDRO RAEI
13TH JUDICIAL DISTRICT COURT