



Consideration of Lea County Resolution No. 22-FEB-029R Amending Lea County Resolution No. 21-JUN-120R Approving Precincts and Polling Places for the 2022 – 2023 Elections

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 22-FEB-031R

A RESOLUTION AMENDING LEA COUNTY RESOLUTION 21-JUN-120R
APPROVING PRECINCTS AND POLLING PLACES
FOR THE 2022 - 2023 ELECTIONS

WHEREAS, the New Mexico Statutes Annotated 1978, Section 1-3-2 (2019) requires that in June or July of the odd-numbered year, the Board of County Commissioners shall by resolution designate polling places; *and*

WHEREAS, the Board of County Commissioners finds that each polling place designated in this resolution complies with the provisions of NMSA 1978, Section 1-3-7 (2019), titled Polling Places; *and*

WHEREAS, the Board of County Commissioners finds that those precincts that are consolidated to create Voting Convenience Centers meet the requirements of NMSA 1978, Section 1-3-4 (2015), will be available to voters of any precinct in the county to cast a vote at the Voting Convenience Center, will make voting more convenient and accessible to voters of the consolidated precinct, will not result in delays for voters in the voting process, and are centrally located within the consolidated precinct; *and*

WHEREAS, the Board of County Commissioners finds that each polling place provides individuals with physical mobility limitations unobstructed access to at least one voting machine.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Lea County that the following amendments to the polling locations for the conduct of any statewide election during the period beginning January 1, 2022 to December 31, 2022, is hereby approved.

<u>Precinct Numbers</u>	<u>Location & Address</u>
Voter Convenience Centers: (All voters in the county may vote at these locations, regardless of where they live.)	
2	Caprock Community Hall 99 Moore Road, Caprock, NM
3	Tatum City Hall 120 W Broadway, Tatum, NM
8, 10, 18, 13	Yucca Building, Fairgrounds Commercial & Central, Lovington, NM
11,12,14	Lea County Courthouse 100 N Main, Lovington, NM

The New Mexico Statutes Annotated 1978, Section 1-3-2 (2019) requires that in June or July of the odd-numbered year, the Board of County Commissioners shall by resolution designate polling places.

The Board of County Commissioners finds that each polling place designated in this resolution complies with the provisions of NMSA 1978, Section 1-3-7 (2019), titled Polling Places.

The Board of County Commissioners finds that those precincts that are consolidated to create Voting Convenience Centers meet the requirements of NMSA 1978, Section 1-3-4 (2015), will be available to voters of any precinct in the county to cast a vote at the Voting Convenience Center, will make voting more convenient and accessible to voters of the consolidated precinct, will not result in delays for voters in the voting process, and are centrally located within the consolidated precinct.

The Board of County Commissioners finds that each polling place provides individuals with physical mobility limitations unobstructed access to at least one voting machine.





**LEA COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY FORM**

LCBCC Meeting Date: Thursday, February 3, 2022

Submit this summary form & all attachments to the Finance Director clow@leacounty.net & cc the Executive Coordinator sstout@leacounty.net by: **Monday, January 24, 2022**

County Manager Approval mgallagher@leacounty.net required for all time sensitive issues that do not meet the above deadline.

DATE SUBMITTED mm-dd-yyyy: 01/24/2022	SUBMITTED BY Name, Title, Dept: Tryon Hassen, Chief Deputy Clerk, Lea County Clerk's Office
SUBJECT: Resolution Amending 21-JUN-120R, Establishing Polling Locations for Election years 2022 -2023.	ATTACHMENT(S): NM Statutes Section 01-03-02, 01-03-04, 01-03-07 and Resolution.
NO. OF ORIGINALS FOR SIGNATURE: 1	ACTION REQUESTED: Action Item
BUDGET LINE ITEM NUMBER:	FISCAL BUDGET YEAR:
STRATEGIC PLAN Implementation of 5 Year Strategic Plan: Must be reestablished every 2 years.	
SUMMARY: Resolution amending polling locations for the year 2022.	
Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.: Easel <input type="checkbox"/> If checked, how many: Laptop <input checked="" type="checkbox"/> Projector <input checked="" type="checkbox"/> Other:	See Additional Summary Attached <input type="checkbox"/>
SUBMITTER'S RECOMMENDATION(S): Approval of Amending Resolution 21-JUN-120R.	Submitter's Signature Department Director, Etc. Tryon Hassen <small>Digitally signed by Tryon Hassen Date: 2022.01.24 10:17:48 -07'00'</small>
FINANCE REVIEW Fiscal Impact/Cost: There is no financial impact to Lea County with this agenda item.	Reviewed by Finance Director Henry C Low Jr <small>Digitally signed by Henry C Low Jr Date: 2022.01.24 11:09:12 -07'00'</small>
LEGAL REVIEW: (Note: Travel does not need legal review)	Reviewed by County Attorney
COUNTY MANAGER REVIEW:	Approved by County Manager to be Placed on Agenda
Item No. 0401 RECORDING SECRETARY'S USE ONLY ~ COMMISSION ACTION TAKEN	
Approved: _____ Resolution No. <u>22-FEB-031R</u> Continued To: _____	Denied: _____ Policy No. _____ Referred To: _____ Other: _____ Ordinance No. _____ Comments: _____

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 22-FEB-031R

A RESOLUTION AMENDING LEA COUNTY RESOLUTION 21-JUN-120R
APPROVING PRECINCTS AND POLLING PLACES
FOR THE 2022 - 2023 ELECTIONS

WHEREAS, the New Mexico Statutes Annotated 1978, Section 1-3-2 (2019) requires that in June or July of the odd-numbered year, the Board of County Commissioners shall by resolution designate polling places; *and*

WHEREAS, the Board of County Commissioners finds that each polling place designated in this resolution complies with the provisions of NMSA 1978, Section 1-3-7 (2019), titled Polling Places; *and*

WHEREAS, the Board of County Commissioners finds that those precincts that are consolidated to create Voting Convenience Centers meet the requirements of NMSA 1978, Section 1-3-4 (2015), will be available to voters of any precinct in the county to cast a vote at the Voting Convenience Center, will make voting more convenient and accessible to voters of the consolidated precinct, will not result in delays for voters in the voting process, and are centrally located within the consolidated precinct: *and*

WHEREAS, the Board of County Commissioners finds that each polling place provides individuals with physical mobility limitations unobstructed access to at least one voting machine.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Lea County that the following amendments to the polling locations for the conduct of any statewide election during the period beginning January 1, 2022 to December 31, 2022, is hereby approved.

<u>Precinct Numbers</u>	<u>Location & Address</u>
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3	Tatum City Hall 120 W Broadway, Tatum, NM
8, 10, 18, 13	Yucca Building, Fairgrounds Commercial & Central, Lovington, NM
11,12,14	Lea County Courthouse 100 N Main, Lovington, NM

9, 15A, 16, 17	Lovington Municipal Schools Central Office Community Room 18 West Washington, Lovington, NM
15B	Maljamar Community Hall 36 Maljamar Road Maljamar, NM
20, 21, 26, 27, 28, 56	Lea County Road Department 5915 Lovington, Highway, Hobbs, NM
19, 22, 23, 29, 30, 37, 38, 57	Lea County Event Center 5101 N Lovington Highway, Hobbs, NM
24, 25, 39, 40, 41, 42, 43	Lea County Annex Office Complex 1019 East Bender Blvd, Hobbs, NM
31, 32, 33, 34	Hobbs Teen Center 620 West Alto, Hobbs, NM
35, 44, 51, 58, 61	Hobbs City Hall 200 East Broadway, Hobbs, NM
36, 52, 53, 54, 55, 59	Hobbs Municipal School Training Facility 2110 East Sanger, Hobbs, NM
62	Monument Community Center 10620 W NM HWY 322, Monument, NM
71, 72	Eunice Community Center 12 th & Ave I, Eunice, NM
73, 74	Jal, City Hall 309 South Main, Jal, NM

PASSED, APPROVED AND ADOPTED on this 3rd day of February, 2022, by the Lea County Board of County Commissioners in an open meeting in Lovington, New Mexico.

LEA COUNTY BOARD OF COUNTY COMMISSIONERS

Dean Jackson (District 1), Chair
Voted: Yes No Abstain

Gary G. Eidson (District 3), Vice Chair
Voted: Yes No Abstain

Rebecca Long (District 2), Member
Voted: Yes No Abstain

Jonathan Sena (District 4), Member
Voted: Yes No Abstain

Pat Sims (District 5), Member
Voted: Yes No Abstain

ATTEST: Keith Manes
Lea County Clerk

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

By:

Teri Davis, Deputy Clerk

John W. Caldwell, County Attorney

1-3-2. Precincts; duties of county commissioners.

A. In June or July of each odd-numbered year, the board of county commissioners shall by resolution:

- (1) designate the polling place of each precinct that shall provide individuals with physical mobility limitations an unobstructed access to at least one voting machine;
- (2) consolidate any precincts for the next succeeding primary and general elections pursuant to Section [1-3-4](#) NMSA 1978;
- (3) designate any mail ballot election precincts for the next succeeding primary and general elections;
- (4) consolidate precincts for the regular local elections following the next succeeding general election as provided in Section [1-3-4](#) NMSA 1978;
- (5) designate any mail ballot election precincts for the regular local election following the next succeeding general election;
- (6) create additional precincts to meet the requirements of Section [1-3-1](#) NMSA 1978 or upon petition pursuant to Section [4-38-21](#) NMSA 1978;
- (7) create additional polling places in existing precincts as necessary pursuant to Section [1-3-7.1](#) NMSA 1978; and
- (8) divide any precincts as necessary to meet legal and constitutional requirements for redistricting.

B. Polling places, consolidated precincts and mail ballot election precinct designations established in the resolution adopted pursuant to Subsection A of this section for primary and general elections shall be the same used for any special election for the office of United States representative held in the two succeeding calendar years following adoption of the resolution.

C. The county clerk shall notify the secretary of state in writing of any proposed changes in precincts or the designation of polling places made by the board of county commissioners and shall furnish a copy of the map showing the current geographical boundaries, designation and word description of each new polling place and each new or changed precinct.

D. The secretary of state shall review all new or changed precinct maps submitted pursuant to this section for compliance under the Precinct Boundary Adjustment Act [[1-3-10](#) through [1-3-14](#) NMSA 1978]. Any necessary precinct boundary adjustments shall be made and submitted to the secretary of state no later than the first Monday in December of each odd-numbered year. Upon approval of the new or changed precincts by the secretary of state, the precincts and polling places as changed by the resolution of the boards of county commissioners and approved by the secretary of state shall be the official precincts and polling places for the next succeeding primary and general elections and the regular local election following the next succeeding general election.

History: 1953 Comp., § 3-3-2, enacted by Laws 1969, ch. 240, § 51; 1975, ch. 255, § 28; 1977, ch. 64, § 2; 1979, ch. 105, § 1; 1984 (1st S.S.), ch. 3, § 2; 1989, ch. 392, § 4; 1991 (1st S.S.), ch. 6, § 2; 1995, ch. 126, § 2; 2009, ch. 251, § 3; 2009, ch. 274, § 2; 2011, ch. 131, § 2; 2018, ch. 79, § 3.

1-3-4. Consolidation of precincts.

A. Precincts may be consolidated by the board of county commissioners for the following elections:

- (1) primary and general elections; and
- (2) local elections.

B. When precincts are consolidated for a primary and general election or a regular local election, the resolution required by Section [1-3-2](#) NMSA 1978, in addition to the other matters required by law, shall state therein which precincts have been consolidated and the designation of the polling place. In addition, when consolidating precincts:

(1) any voter of the county shall be allowed to vote in any consolidated precinct polling location in the county;

(2) each consolidated precinct in a primary or general election shall be composed of no more than ten precincts;

(3) each consolidated precinct in a local election shall be composed of no more than twenty precincts;

(4) each consolidated precinct shall comply with the provisions of Section [1-3-7](#) NMSA 1978;

(5) each consolidated precinct polling location shall have a broadband internet connection and real-time access to the statewide voter registration electronic management system;

(6) the county clerk may maintain any alternative voting locations previously used in the same election open for voting on election day for any voter in the county, in addition to the polling location established in each consolidated precinct; and

(7) the board of county commissioners may permit rural precincts to be exempted from operating as or being a part of a consolidated precinct; provided that if the precinct is not designated as a mail ballot election precinct pursuant to Section [1-6-22.1](#) NMSA 1978 and the polling place for the rural precinct does not have real-time access to the statewide voter registration electronic management system, voters registered in a rural precinct as described in this paragraph are permitted to vote in any consolidated precinct polling location on election day only by use of a provisional paper ballot, which shall be counted after the county clerk confirms that the voter did not also vote in the rural precinct.

C. Unless the county clerk receives a written waiver from the secretary of state specifying the location and specific provision being waived, each consolidated precinct polling location shall:

(1) have ballots available for voters from every precinct that is able to vote in the consolidated precinct;

(2) have at least one optical scan tabulator programmed to read every ballot style able to be cast in the consolidated precinct;

(3) have at least one voting system available to assist disabled voters to cast and record their votes;

(4) have sufficient spaces for at least five voters to simultaneously and privately mark their ballots, with at least one of those spaces wheelchair-accessible;

(5) have sufficient check-in stations to accommodate voters throughout the day as provided in Section [1-9-5](#) NMSA 1978;

(6) have a secure area for storage of preprinted ballots or for storage of paper ballot stock and a system designed to print ballots at a polling location;

(7) issue a ballot to voters who have provided the required voter identification after the voter has signed a signature roster or an electronic equivalent approved by the voting system certification committee or after the voter has subscribed an application to vote on a form approved by the secretary of state; and

(8) be in a location that is accessible and compliant with the requirements of the federal Americans with Disabilities Act of 1990.

D. As a prerequisite to consolidation, the authorizing resolution must find that consolidation will make voting more convenient and accessible to voters of the consolidated precinct and will not result in delays for voters in the voting process and that the consolidated precinct voting location will be centrally located within the consolidated precinct.

History: 1953 Comp., § 3-3-4, enacted by Laws 1975, ch. 255, § 30; 2011, ch. 131, § 3; 2015, ch. 145, § 11; 2018, ch. 79, § 4.

1-3-7. Polling places.

A. No less than one polling place shall be provided for each precinct that is not a mail ballot election precinct; provided that in a local election, a precinct that lies partly within and partly without a district may be located in a single polling place and use a single precinct board.

B. 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.

C. If no public building or public school building is available, the board of county commissioners shall provide some other suitable place, which shall be the most convenient and appropriate place obtainable in the precinct, considering the purpose for which it is to be used pursuant to the Election Code.

D. If, in a precinct that is not a mail ballot election precinct or a consolidated precinct, there is no public building or public school building available in the precinct, and there is no other suitable place obtainable in the precinct, the board of county commissioners may designate as a polling place for the precinct the most convenient and suitable building or public school building nearest to that precinct that can be obtained. No polling place shall be designated outside the boundary of the precinct as provided in this subsection until such designated polling place is approved by written order of the district court of the county in which the precinct is located.

E. Upon application of the board of county commissioners, the governing board of any school district shall permit the use of any school building or a part thereof for registration purposes and the conduct of any election; provided that the building or the part used for the election complies with the standards set out in the federal Voting Accessibility for the Elderly and Handicapped Act.

F. Public schools may be closed for elections at the discretion of local school boards.

History: 1953 Comp., § 3-3-8, enacted by Laws 1969, ch. 240, § 57; 1971, ch. 316, § 1; 1984 (1st S.S.), ch. 3, § 3; 1987, ch. 249, § 6; 1989, ch. 392, § 5; 1991 (1st S.S.), ch. 6, § 3; 2009, ch. 251, § 4; 2009, ch. 274, § 3; 2011, ch. 131, § 4; 2018, ch. 79, § 5.