

RESOLUTION AND PROCLAMATION OF REGULAR
SCHOOL DISTRICT ELECTION AND SCHOOL BOND ELECTION

WHEREAS, the Board of Education of the Capitan Municipal School District No. 28 ("Board" and "District," respectively), in the County of Lincoln and the State of New Mexico, has determined that a regular school district election and a school bond election ("Election") be held on February 5, 2013, pursuant to the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19, and the Bond Election Act, NMSA 1978, §§ 6-15-23 through 6-15-28;

WHEREAS, the Board has determined that two (2) positions on the Board are to be filled at the Election by submitting to the qualified electors of the District the names of the candidates qualified to appear on the ballot for election to such positions;

WHEREAS, the persons who desire to fill such positions on the Board shall be required to file declarations of candidacy or declarations to be a write-in candidate, all in accordance with the School Election Law;

WHEREAS, the Board has determined upon its own initiative to submit to vote at the Election, the question of the issuance of its general obligation bonds in the maximum amount and for the purpose hereinafter specified, as permitted by NMSA 1978, Section 22-18-2(B), and the Bond Election Act; and

WHEREAS, neither the bond question herein submitted, nor any other school bond question has been defeated by the voters of the District at a school bond election held within a period of two years prior to the date of the Election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CAPITAN MUNICIPAL SCHOOL DISTRICT NO. 28, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT, IN THE COUNTY OF LINCOLN AND THE STATE OF NEW MEXICO:

Section 1. On the 5th day of February, 2013, there will be held in the Capitan Municipal School District No. 28, Lincoln County, New Mexico, a regular school district election for the purpose of submitting to the qualified, registered electors of the District the names of the candidates for the two (2) positions to be filled on the Board, and a school bond election for the purpose of submitting to the qualified, registered electors of the District the question of creating a debt by the issuing of general obligation bonds.

Section 2. At the Election, the following at large positions on the Board shall be determined by the qualified, registered electors of the District:

Position 1: for a four year term commencing on March 1, 2013.

Position 2: for a four year term commencing on March 1, 2013.

Section 3. A declaration of candidacy for a position on the Board to be filled at the Election shall be filed with the Lincoln County Clerk, the proper filing officer, during the period commencing at 9:00 a.m. on December 18, 2012, being the third Tuesday in December and ending at 5:00 p.m. on the same day, pursuant to Section 1-22-7.

Section 4. In making a declaration of candidacy, the candidate for a position on the Board to be filled at the Election shall submit a sworn statement of intent in substantially the form provided in Section 1-22-8.

Section 5. A person who desires to be a write-in candidate for a position on the Board to be filled at the Election shall file with the Lincoln County Clerk, a declaration of intent to be a write-in candidate before 5:00 p.m. on January 2, 2013, being the thirty-fifth day preceding the date of the Election, pursuant to Section 1-22-18(C).

Section 6. At the Election, the following question shall be submitted to such qualified registered electors of the District:

GENERAL OBLIGATION SCHOOL BOND QUESTION

Shall the Board of Education of the Capitan Municipal School District No. 28, County of Lincoln, State of New Mexico, be authorized to issue general obligation bonds of the District, in one series or more, in the aggregate principal amount not exceeding \$5,000,000, for the purpose of: erecting, upgrading, making additions to and furnishing school buildings; improving school grounds, providing matching funds for capital outlay projects funded pursuant to the Public School Capital Outlay Act; or any combination of these purposes, said bonds to be payable from general (*ad valorem*) taxes and to be issued and sold at such time or times upon such terms and conditions as the Board may determine?

Section 7. A person is a qualified elector of the District if on the day of the Election he or she is a citizen of the United States, at least 18 years of age, and a resident of the District. In order to vote, qualified electors of the District must have previously registered with the Lincoln County Clerk or any voter registration agent, in accordance with law. Any qualified elector of the District who is not now registered and who wishes to vote at the Election should register prior to 5:00 p.m. on January 8, 2013, being the twenty-eighth day immediately preceding the Election, during regular business hours and days of business, at the office of the Lincoln County Clerk at the Lincoln County Courthouse, in

Carrizozo, New Mexico, or by any voter registration agent at a designated agency, as provided in NMSA 1978, Sections 1-4-48 and 1-4-49.

Section 8. The polls for the Election will be open between 7:00 a.m. and 7:00 p.m. on the day of the Election.

Section 9. The Voting Districts for the Election shall be as follows:

<u>Voting District</u>	<u>Election Precinct</u>	<u>Polling Place</u>
1	Parts of 3, 4, 5, 6, 7, 14, 15, 16, 17, 19, 20, 21 within the District	Cummins Gymnasium

Absentee voting will be as described in Section 11 herein.

Section 10. Voting on the day of the Election shall be by a voting system defined in NMSA 1978, Section 1-9-1(B). At least one voting system shall be used at the polling place for each Voting District.

Section 11. Pursuant to the Absent Voter Act, NMSA 1978, §§ 1-6-1 through 1-6-18, the Absent Voter Precinct Act, NMSA 1978, §§ 1-6-19 through 1-6-23, and Section 1-22-19, qualified, registered electors may also vote absentee at the office of the Lincoln County Clerk during regular hours and days of business, from 8:00 a.m. on January 11, 2013, being the twenty-fifth (25th) day preceding the Election, until 5:00 p.m. on February 1, 2013, being the Friday immediately prior to the Election. Absentee voting shall be by paper ballot, pursuant to Sections 1-6-8, 1-6-9, and 1-22-19.

PASSED AND ADOPTED this 8th day of November, 2012.

President, Board of Education

[District Seal]

Attest:

Secretary, Board of Education

**Canvass Results for the
Capitan Regular School District
Election held on February 5, 2013**

Total Registered Voters:	4195
Total Provisional:	0
Total Provisional Counted:	0
Total Absentee:	23
Total In Person:	396
Total Voted:	419

	<u>VOTES</u>	<u>PROV</u>	<u>ABSENTEE</u>	<u>= TOTAL</u>
POSITION 1-4 YEAR TERM				
JUSTIN ALAN KING	315	0	20	335
POSITION 2-4 YEAR TERM				
EDWARD L. VINSON	275	0	17	292
GO BOND QUESTION				
FOR	249	0	13	262
AGAINST	147	0	10	157

We, the Undersigned Canvassing Board of the Capitan School Board Election, hereby certify that the following candidates and questions received the majority of votes cast.

Position 1 - 4 year term	JUSTIN ALAN KING	335
Position 2 - 4 year term	EDWARD L. VINSON	292
GO Bond Question	FOR	262

We, the Undersigned acting as a Board of Canvassers to canvass the returns of the Capitan Regular School Board Election held in said district on February 7, 2013, certify that this is a correct canvass of the returns of said election. WITNESS this Board, February 7, 2013.

Martha M Proctor
Martha McKnight Proctor, Magistrate Judge

Rhonda B Burrows
Rhonda B Burrows, Lincoln County Clerk

Edmund J. Chino
Capitan Schools

SCHOOL BOARD PRESIDENT

