

STATE OF NEW MEXICO           §  
                                          §  
COUNTIES OF DOÑA ANA       §  
AND OTERO                       §  
                                          §  
GADSDEN INDEPENDENT       §  
SCHOOL DISTRICT NO. 16      §

The Board of Education of the Gadsden Independent School District No. 16 (“Board”), Counties of Doña Ana and Otero and State of New Mexico, met in regular session, in full conformity with law and the rules and regulations of the Board, at the North Valley Elementary School Cafeteria, 300 Cascade Avenue, San Miguel, New Mexico, on the 10th day of November, 2016, at the hour of 5:00 p.m. The duly elected officers and members of the Board were as follows:

President:                Maria E. Saenz  
Vice President:        Craig Ford  
Secretary:              Jennifer Viramontes  
Members:               Daniel Castillo  
                              Daniel Estupiñan

Upon roll call, the following members of the Board were found to be present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following members of the Board were found to be absent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Superintendent of Schools, Efren Yturralde, was also present.

Superintendent Yturralde thereupon introduced and recommended the Board adopt a resolution entitled:

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

Member \_\_\_\_\_ then moved the adoption of said resolution. Member \_\_\_\_\_ seconded such motion. The motion to adopt said resolution was thereupon put to a vote and was passed and adopted on the following recorded vote:

Those voting aye:

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Those voting nay:

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Those abstaining:

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Superintendent Yturralde then introduced and recommended the Board adopt a resolution entitled:

**RESOLUTION AUTHORIZING AND DIRECTING  
SCHOOL ELECTION PROCEDURES**

Member \_\_\_\_\_ moved the adoption of said resolution, which motion was duly seconded by Member \_\_\_\_\_, and upon being put to a vote was passed and adopted on the following recorded vote:

Those voting aye:

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Those voting nay:

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Those abstaining:

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After consideration of other business not related hereto, on motion duly made, seconded, and carried, the meeting was adjourned.

Dated at San Miguel, New Mexico, this 10th day of November, 2016.

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President, Board of Education

[District Seal]

Attest:

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Secretary, Board of Education

RESOLUTION AND PROCLAMATION OF  
REGULAR SCHOOL DISTRICT ELECTION

WHEREAS, the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District,” respectively), in the Counties of Doña Ana and Otero and the State of New Mexico, has determined that a regular school district election (“Election”) be held on February 7, 2017, pursuant to the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19;

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; and

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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE GADSDEN INDEPENDENT SCHOOL DISTRICT NO. 16, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT, IN THE COUNTIES OF DOÑA ANA AND OTERO AND THE STATE OF NEW MEXICO:

Section 1. On the 7<sup>th</sup> day of February, 2017, there will be held in the Gadsden Independent School District No. 16, Doña Ana and Otero Counties, New Mexico, a regular school district election for the purpose of submitting to the qualified, registered electors of the District the name of the candidates for the two (2) positions to be filled on the Board.

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

Position 2: for a four-year term commencing March 1, 2017.

Position 5: for a four-year term commencing March 1, 2017.

Only those qualified electors residing in Board Member District 2 shall be eligible to vote for one of the candidates for Position 2. Only those qualified electors residing in Board Member District 5 shall be eligible to vote for one of the candidates for Position 5.

Section 3. A declaration of candidacy for a position on the Board to be filled at the Election shall be filed with the Doña Ana County Clerk, the proper filing officer, during the period commencing at 9:00 a.m. on December 20, 2016, being the third Tuesday in December, and ending at 5:00 p.m. on the same day, pursuant to § 1-22-7.

Section 4. In making a declaration of candidacy, each 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 § 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 Doña Ana County Clerk, a declaration of intent to be a write-in candidate before 5:00 p.m. on January 3, 2017, being the thirty-fifth (35<sup>th</sup>) day preceding the date of the Election, pursuant to § 1-22-18(C).

Section 6. 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 Doña Ana County Clerk, the Otero 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 10, 2017, being the twenty-eighth (28<sup>th</sup>) day immediately preceding the Election, during regular business hours and days of business, at the office of the Doña Ana County Clerk at the Doña Ana County Government Center, in Las Cruces, New Mexico, at the office of the Otero County Clerk at the Otero County Courthouse, in Alamogordo, New Mexico, or by any voter registration agent at a designated agency, as provided in NMSA 1978, §§ 1-4-48 and 1-4-49.

Section 7. 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 8. The Voting Districts for the Election shall be as follows:

<u>Voting District</u>	<u>Election Precinct</u>	<u>Polling Place</u>
2	For voters who vote in Doña Ana Precinct 14 and the northern portion of 13	Santa Teresa Middle School 4800 McNutt Road Sunland Park, NM
	For voters who vote in Doña Ana Precinct 15	La Union Elementary School 875 Mercantile Avenue La Union, NM
5	For voters who vote in Doña Ana Precincts 75 and 76; portions of Doña Ana Precincts 6 and 74; Otero Precinct 1, and portions of 35 within the District	Chaparral Middle School 290 E. Lisa Dr. Chaparral, NM

Pursuant to NMSA 1978, § 1-22-6(B), in the event that only one candidate has filed a declaration of candidacy for each position to be filled at the Election, no declared write-ins have filed for any position and there are no questions or bond issues on the ballot, the Doña Ana County Clerk shall perform the duties of the precinct board and no other precinct board shall be appointed. Voting on the day of the Election shall be by paper ballot as provided in § 1-22-10(G).

Absentee voting will be as described in Section 10 herein.

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

Section 10. 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 1-22-19, qualified, registered electors may also vote absentee at the office of the Doña Ana County Clerk during regular hours and days of business, from 8:00 a.m. on January 13, 2017, being the twenty-fifth (25<sup>th</sup>) day preceding the Election, until 5:00 p.m. on February 3, 2017, being the Friday immediately prior to the Election. Pursuant to the Uniform Military and Overseas Voters Act, NMSA 1978, §§ 1-6B-1 through 1-6B-17, a federal qualified voter or overseas voter may vote absentee as provided in that law. Absentee voting shall be by paper ballot, pursuant to §§ 1-6-8, 1-6-9, and 1-22-19, or by the procedures authorized by the Uniform Military and Overseas Voters Act.

PASSED AND ADOPTED this 10th day of November, 2016.

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President, Board of Education

[District Seal]

Attest:

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Secretary, Board of Education

## RESOLUTION AUTHORIZING AND DIRECTING SCHOOL ELECTION PROCEDURES

WHEREAS, the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District,” respectively), on its own motion, has by its Resolution and Proclamation of Regular School District Election (“Resolution and Proclamation of Election”) adopted this 10th day of November, 2016, ordered that at the election to be held within the District, Doña Ana and Otero Counties, New Mexico, on the 7<sup>th</sup> day of February, 2017 (“Election”), there shall be submitted to the registered qualified electors of the District the candidates for positions to be filled on the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE GADSDEN INDEPENDENT SCHOOL DISTRICT NO. 16, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT IN THE COUNTIES OF DOÑA ANA AND OTERO AND THE STATE OF NEW MEXICO:

Section 1. The Resolution and Proclamation of Election shall be published once in public proclamation form, in full, in English and Spanish, in the *Las Cruces Sun News*, Las Cruces, New Mexico, being a newspaper having general circulation within the District. The publication shall be made before December 19, 2016, which is fifty (50) days before the date of the Election. In addition, there shall be published a school election notice meeting the requirements of § 1-22-11 of the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19, made once each week for two successive weeks, with the last publication being made within seven (7) days, but not later than two (2) days before the date of the Election. The proper filing officer shall include in said notice the name of each candidate for a position to be filled on the Board and the names of the precinct board members of the District.

Section 2. Pursuant to § 1-22-4, the Superintendent of Schools of the District (“Superintendent”) shall file the Resolution and Proclamation of Election with the Doña Ana County Clerk as the County Clerk of Record (“County Clerk of Record”), who also shall serve as administrator of the Election, pursuant to § 1-22-12, and who shall be responsible for publishing the proclamation as described above. The Superintendent shall also obtain from the County Clerk of Record executed copies of the Certificate of Filing of Resolution and Proclamation of Election.

Section 3. Pursuant to § 1-22-10, the County Clerk of Record shall prepare the ballots for the Election, which shall be printed by the thirtieth (30<sup>th</sup>) day preceding the Election. The printed ballot shall contain the name of each candidate and the position on the Board for which he or she is a candidate. The ballot shall be printed in a form in substantial compliance with the provisions of § 1-10-12, and in compliance with the provisions of the federal Voting Rights Act of 1965, as amended. The cost of printing the ballots shall be paid by the District.

Section 4. The names of the candidates for election to the Board shall be submitted to all registered electors on a single ballot, except as provided herein.

Section 5. The voting tabulators shall use a ballot label listing the name of each candidate and the position for which he or she is a candidate. The ballot shall be printed in English and Spanish in clear type, in black ink on white material. The County Clerk of Record is requested to provide the required quantity of paper ballots for use in the Election, pursuant to law.

Section 6. 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 § 1-22-19, qualified, registered electors may also vote absentee at the office of the Doña Ana County Clerk during regular hours and days of business, from 8:00 a.m. on January 13, 2017, being the twenty-fifth (25<sup>th</sup>) day preceding the Election, until 5:00 p.m. on February 3, 2017, being the Friday immediately prior to the Election. Pursuant to the Uniform Military and Overseas Voters Act, NMSA 1978, §§ 1-6B-1 through 1-6B-17, a federal qualified voter or overseas voter may vote absentee as provided in that law. Absentee voting shall be by paper ballot, pursuant to §§ 1-6-8, 1-6-9, and 1-22-19, or by the procedures authorized by the Uniform Military and Overseas Voters Act.

Section 7. Except as otherwise provided herein, the manner of conducting the Election and all other election procedures relating thereto shall be as provided by the School Election Law and the federal Voting Rights Act of 1965, as amended. The County Clerk of Record is requested to provide the quantity of paper ballots for use in the Election, pursuant to law.

Section 8. The Superintendent and the officers of the District shall be and they hereby are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this resolution and the Resolution and Proclamation of Election.

Section 9. All action heretofore taken by the Board, the Superintendent and the officers of the District not inconsistent with the provisions of this resolution and the Resolution and Proclamation of Election directed toward the calling and conducting of the Election shall be, and the same hereby is ratified, approved and confirmed.

Section 10. All acts, motions or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency.



PASSED AND ADOPTED this 10th day of November, 2016.

[District Seal]

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President, Board of Education

Attest:

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Secretary, Board of Education

STATE OF NEW MEXICO  
COUNTIES OF DOÑA ANA  
AND OTERO  
GADSDEN INDEPENDENT  
SCHOOL DISTRICT NO. 16

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SECRETARY'S CERTIFICATE

The undersigned duly qualified and acting Secretary of the Board of Education of the Gadsden Independent School District No. 16 ("Board" and "District," respectively), in Doña Ana and Otero Counties, New Mexico, does hereby certify that the foregoing pages are a true and complete copy of the record of the proceedings of the Board, constituting the governing body of the District, had and taken at a duly called regular meeting of the Board held at the North Valley Elementary School Cafeteria, 300 Cascade Avenue, San Miguel, New Mexico on the 10th day of November, 2016, convening at the hour of 5:00 p.m., insofar as they concern the Resolution and Proclamation of Regular School District Election and the Resolution Authorizing and Directing School Election Procedures, copies of each being therein set forth, as recorded in the book of official records of the proceedings of the District, kept in the office of the Superintendent of Schools, and that the meeting therein shown was duly held, the persons therein named were present at the meeting as shown, and the proceedings were duly had and taken as therein shown.

WITNESS my hand and seal of the District, affixed this 10<sup>th</sup> day of November, 2016.

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Secretary, Board of Education

[District Seal]