

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 ("Gadsden Board of Education" or "Board") in the 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 Board Room, Administration Building, 4950 McNutt Road/100 Laura Court, Sunland Park, New Mexico, being the regular meeting place of the Board, on Thursday, the 11th day of November, 2004 at the hour of 5:00 p.m. The duly elected officers and members of the Board are as follows:

President:	Alfredo Garza
Vice President:	Maria E. Saenz
Secretary:	Luz E. Vargas-Troncoso
Members:	Daniel L. Rollings
	Dr. David J. Garcia

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:

In addition, Superintendent Ronald Haugen was present.

Superintendent Haugen thereupon introduced the resolution entitled as follows and recommended its adoption by the Board:

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

Member _____ then moved the adoption of the foregoing entitled 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:

Those Voting Nay:

Those Absent:

Superintendent Haugen thereupon introduced the resolution entitled as follows and recommended its adoption by the Board:

**RESOLUTION AUTHORIZING AND DIRECTING
SCHOOL ELECTION PROCEDURES**

Member _____ then moved the adoption of the foregoing entitled 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:

Those Voting Nay:

Those Absent:

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

Dated at Sunland Park, New Mexico, this 11th day of November 2004.

President, Board of Education

Attest:

Secretary, Board of Education

[SEAL]

**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 State of New Mexico, has determined that a Regular School District Election ("Election") be held on February 1, 2005, pursuant to NMSA 1978, Sections 1-22-1 through 1-22-19; and

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 candidates qualified to appear on the ballot for election to the positions to be filled; and

WHEREAS, the persons who desire to fill such positions on the Board shall be required to file declarations of candidacy or declarations of intent to be a write-in candidate, all in accordance with NMSA 1978, Sections 1-22-1 *et seq.*

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 STATE OF NEW MEXICO:

Section 1. On the 1st day of February, 2005, 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 the names of candidates for the two (2) positions to be filled on the Board, being the positions for Board Member District Number 2 and Board Member District Number 5, to the respective qualified electors of each such Board Member District.

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

Board Member District No. 2: For a four-year term commencing March 10, 2005 and;
Board Member District No. 5: For a four-year term commencing March 10, 2005.

Only those qualified electors residing in Board Member Districts 2 and 5 shall be eligible to vote for one of the candidates seeking Board Member positions in each respective district.

Section 3. The Voting Districts for the Election are as follows:

Voting District	Election Precincts	Polling Places
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 88063
2	For voters who vote in Doña Ana precinct 15	La Union Elementary School 875 Mercantile Avenue La Union, NM 88021
2	For voters who vote in Doña Ana portions of precinct 16	Chamberino Fire Station Saucedo Avenue Chamberino, NM 88027
2	For voters who vote in Doña Ana precincts 19 and 82	San Miguel Elementary School 2160 Highway 192 San Miguel, NM 88058
5	For voters who vote in Doña Ana precincts 75 and 76 and portions of Doña Ana precincts 6 and 74 and Otero precincts 1 and portions of 35 within Gadsden School District No. 16	Chaparral Middle School 290 E. Lisa Drive Chaparral, NM 88081

In addition, absentee voting shall be permitted as described in Section 9 herein.

Section 4. The polls for the Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of the Election.

Section 5. A declaration of candidacy for the positions on the Board to be filled at the Election shall be filed with the County Clerk of Doña Ana, the proper filing officer, during the period commencing at 9:00 a.m., December 21, 2004, being the third Tuesday in December, and ending at 5:00 p.m. on the same day, pursuant to NMSA 1978, Section 1-22-7.

Section 6. In making a declaration of candidacy, the candidate for membership on the Board shall submit a sworn statement of intent in substantially the form provided in NMSA 1978, Section 1-22-8.

Section 7. A person who desires to be a write-in candidate for membership on the Board at the Election shall file with the County Clerk of Doña Ana, a declaration of intent to be a write-in

candidate before 5:00 p.m. on December 28, 2004, being the thirty-fifth day preceding the date of the Election, pursuant to NMSA 1978, Section 1-22-18.

Section 8. 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 County Clerk of Doña Ana and Otero Counties 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 during regular office hours prior to 5:00 p.m. on January 4, 2005, being the twenty-eighth day immediately preceding the Election at the office of the County Clerk of Doña Ana County, Doña Ana County Courthouse, Las Cruces, New Mexico or at the office of the County Clerk of Otero County, Otero County Courthouse, Alamogordo, New Mexico, or by any registration agent at a designated agency as provided in NMSA 1978, Sections 1-4-47 and 1-4-48.

Section 9. Absentee voting will be permitted in the manner authorized by NMSA 1978, Sections 1-6-1, *et seq*; provided, however, that pursuant to NMSA 1978, Section 1-22-19, qualified electors may also vote absentee in person at the office of the County Clerk of Doña Ana County, during the regular hours and days of business from 8:00 a.m., January 7, 2005, being the twenty-fifth day preceding the Election, until 5:00 p.m., January 28, 2005, being the Friday immediately prior to the Election.

Section 10. Voting on election day and absentee voting in person, as provided in Section 9 above, shall be by a voting system defined in NMSA 1978, Sections 1-9-1, *et seq*. Other absentee voting shall be by paper ballot. At least one voting system shall be used at the polling place for each Voting District.

PASSED AND ADOPTED this 11th day of November 2004.

President, Board of Education

[SEAL]

Attest:

Secretary, Board of Education

**RESOLUTION AUTHORIZING AND
DIRECTING 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, adopted this 11th day of November, 2004, ordered that at the election to be held within the District, Doña Ana and Otero Counties, New Mexico, on the 1st day of February, 2005 ("Election"), there shall be submitted to the qualified registered 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 BOARD OF SAID DISTRICT IN THE COUNTIES OF DOÑA ANA AND OTERO AND THE STATE OF NEW MEXICO:

Section 1. The Resolution and Proclamation of Regular School District Election, previously adopted on November 11, 2004, shall be published in Public Proclamation form once, in full, in English and Spanish, in the Las Cruces Sun-News, Las Cruces, New Mexico, being a legal newspaper published and having general circulation within the District. The first publication shall be made before December 13, 2004, 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 NMSA 1978, Section 1-22-11, made once a week for two successive weeks, with the last publication being made within seven days but not later than two days before the date of the Election. The proper filing officer shall include the name of each candidate for membership on the Board and the names of the precinct board members of the District in such notice.

Section 2. The Superintendent of Schools of the District ("Superintendent") shall pursuant to NMSA 1978, Section 1-22-4A, file said Resolution and Proclamation of Regular School District Election with the County Clerk of Doña Ana County as the county clerk of record ("County Clerk of Record"), who also shall serve as administrator of the Election pursuant to NMSA 1978, Section 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 NMSA 1978, Section 1-22-10, the County Clerk of Record shall prepare the ballots for the Election, which shall be printed by the thirtieth (30th) day preceding the Election. The cost of printing the ballots shall be paid by the District. The printed ballot shall contain, where applicable, the name of each candidate and the position on the Board for which he or she is a candidate. Such ballot shall be printed in a form in substantial compliance with the provisions of NMSA 1978, Sections 1-12-44 and 1-22-10, and in compliance with the provisions of the federal Voting Rights Act of

1965, as amended.

Section 4. The choices for election to the Board shall be submitted to all electors on a single, separate ballot submitted on voting machines, except as provided in Section 6 hereof.

Section 5. The voting machines to be used shall carry a ballot label for each candidate seeking election to the Board in the applicable Voting Districts set forth in the form demonstrated in Section 2 of the Resolution and Proclamation of Regular School District Election and shall be printed in English and Spanish with plain, clear type in black ink on white material of such size as will fit the voting machines.

Section 6. The County Clerk of Record is requested to provide for the required quantity of paper ballots for use in the Election, pursuant to law.

Section 7. Except as otherwise provided herein or in NMSA 1978, Sections 22-18-1 *et seq.*, the manner of conducting the Election and all other election procedures relating thereto, shall be as provided by the New Mexico School Election Law and the federal Voting Rights Act of 1965, as amended.

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 Regular School District 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 Regular School District Election directed toward the calling and conducting of the Election 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 11th day of November 2004.

President, Board of Education

[SEAL]

Attest:

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 ("District"), in the Counties of Doña Ana and Otero, State of New Mexico, does hereby certify that the foregoing pages are a true and complete copy of the record of the proceedings of said Board, constituting the governing body of the District, had and taken at a duly called regular meeting of said Board held at the Board Room, Administration Building, 4950 McNutt Road /100 Laura Court, Sunland Park, New Mexico on Thursday, the 11th day of November, 2004, convening at the hour of 5:00 p.m., insofar as they concern the Resolution and Proclamation of Regular School District Election and a second Resolution concerning the District's Election, 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, and that said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein named were present at said meeting as therein shown.

WITNESS my hand and seal of said District affixed this 11th day of November 2004.

Secretary, Board of Education

[SEAL]