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Questions

Neil Girrard <neilgirrard@gmail.com>

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To: ntaylor@lincolncountynm.gov

Hi Nita,

Having thought and talked about what you said on Sunday – that the County Commissioners are not going to put this matter on the July agenda but instead want it “resolved” at the board level – we have some questions and some comments. We are not trying to be difficult but this is a difficult situation to be in. We hope you can understand.

First, we are not on trial. Smith is. How can this possibly be a fair evaluation of Smith’s actions if he is still the chairman? What judge will ever find himself guilty of his own crimes! What exactly does having the board “resolve” this issue mean? The board is not able to remove him and that is a function of the County Commission. Has the County already decided not to do anything about Smith? Without any open, public debate?

Second, the ordinance used to guarantee us the right to appeal any board action to the County Commission because it has long been recognized that the board is often overboard, even insane, about its actions and decisions. From what we’ve heard, Smith used that right of appeal to build his house and barn that are completely out of character with the historical aspects of Lincoln. Are we now being denied our right under the ordinance to bring a matter before the Commission?

Third, the board is well-known for having no need of facts to make a decision. Gossip, slander, lies and personal opinions are what is normally used there. And, no, this is not just a thing of past boards. We are concerned that this meeting will devolve into mere character assassination against us and just be used by the board to put us back in our place and get this issue to go quiet again. What will be lacking is the accuracy of the reality of this matter, and we will be forced to suffer invasion of our privacy rights just to answer and correct the false accusations and innuendos that will almost certainly be thrown at us. And these people will not have to reveal anything about their own lives but we will. We don’t have very many real neighbors in Lincoln – but we do have lots of enemies and spies and gossips and turncoats who call themselves our neighbors. If the board or Smith has anything to say to us or about us, it can be done in a letter, especially if the board’s true motive is to “resolve” this issue.

It seems to us we’re being maneuvered away from the Commission and steered back in front of the board for some unstated reason(s). The ordinance clearly says that no resident can be forced to appear before the board. If we are somehow now being required to appear before the board, where any of our actions might be deemed a crime or our words used against us in a court of law, we would like an attorney to be present. Since we cannot afford one, we believe the County should provide us with one so that our legal rights are protected. The mere fact that the County will not do this – in spite of decades of this standard treatment of accused criminals – is part of the evidence that the ordinance is way off the mark.

Fourth, Reginald Richey was recently removed from the board. How was this accomplished? Why isn’t the same action being taken in regards to Smith? What is different here? The identity and political stance of the victims?

Fifth, who will be “running the show” at the board meeting in regards to this situation? Smith? Allen? Stone? You? Who is presenting the tape? Will the January tape be the only tape played? Is anyone making a transcript of these portions or can we only get a copy if we go down to the Lincoln people and use their equipment? This seems pretty jicky and we wish to formally submit the request that a better recording and transcription process be implemented. If these recordings are being transcribed – and we believe the pertinent statements of Smith about us from both the January and May meetings should be transcribed – we will certainly submit a request and pay for the copies. But we don’t have the time or technical capability to overcome the jickiness of the current recording and transcription process nor should we have to. It’s really like these recordings aren’t being made as available as is claimed. Nor do we think it is right that we can’t hear the recording or read a transcript before we are asked to show up for any meeting. Surely with all the high-tech gadgetry around these days, something can be provided for us?

Sixth, it is entirely likely that one of the commissioners (Allen) should be recused from this entire decision and discussion because of her personal involvement on several levels. Smith should certainly be recused from the matter if this is to be “resolved” at the board level. A similar objection can be raised about one of the board members (Moore) because of the recent personal conflict that has occurred between us and him as a result of these issues. Smith utilizes the deputies as his personal security force and expects them to remove any disruptive action (although apparently nothing was done to

either Elaine Allen nor Winston Moore whose interaction at the June meeting has been described as a shouting match with some actual barking involved). In May, all Neil tried to do was participate in what was supposed to be an open meeting and the deputy quickly became involved, too quickly. At the slightest raised voice or bit of passion, will we be arrested at this July 18 meeting and hauled off as disruptive though others might be as ugly and nasty as they choose?

Seventh, if we decline to attend the board meeting of the 18th but instead submit a short statement, will it be read into the record? Will you guarantee us that it will be read into the record?

Lastly, are there conversations going on about us that we're not being informed of? It seems to us that we are being isolated and discouraged from presenting the full matter to the commissioners but others from Lincoln are not being so gagged. Are we really supposed to just bombard the commissioners in the same way some others apparently are able to do? Or are we to refrain from contacting them while others are free to "inform" them as they wish? Do the historicals have some privilege in this conflict we do not? Why do we not get to even hear, let alone answer, whatever accusations are being made against us to the individual county commissioners? Why is our communications with the commissioners labeled ex parte but theirs is not? Smith and the board are as much parties to this situation as we are, in reality, more so. And this should include ex-board members who are inserting themselves into this conflict as well. There certainly seems, from our perspective and in our opinion, to be a bit of influencing going on and nothing has even hit the commission floor yet.

We have tried to play the game by the rules you've told us to play by but live and let live is a fool's game when we're the only ones playing by those rules. It seems to us at least some of the commissioners have already made up their minds and that leaves us with only the courts as a possible remedy and alternative because as near as we can tell we are only going to be given 3 (6 if both of us speak) minutes to present our side of the matter, a matter that seems to have already been decided based on all the behind-the-scenes communications and maneuvering that is rather apparent. It is neither fair nor possible to expect that we, in 3-6 minutes, can overcome hours of repeated conversations held in secret behind closed doors or on private phone lines.

We wanted to give you some time to think about these questions. We will be able to delay the work we're doing (we are trying to get some things done as quickly as possible because we have other matters coming up) and can get over to Czozo before the end of this week so that we can discuss this but if you could answer these questions by email we would greatly appreciate it. But if you would rather prefer to meet with us, please email us some possible times and we'll try to make a time to come by and see you.

Sincerely,

Neil & Cindy Girrard
Soviet Lincoln