

STATE OF NEW MEXICO)
) ss.
COUNTY OF GRANT)

The Board of County Commissioners (the "Board") of Grant County (the "County"), in the State of New Mexico, met in open regular session in full conformity with law and the ordinances and rules of the County, in the Conference Room of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board, at 3:00 p.m., on Thursday, August 23, 2007 at which time there were present and answering the roll call the following members:

Chairman:	Rodolpho Martinez
Commissioners:	Mary Ann Sedillo
	Henry Torres

Absent:	None
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Thereupon the following proceedings, among others, were had and taken, to wit:

There was officially filed with the County Clerk, the Chairman and each Commissioner, a copy of an ordinance in final form, which is as follows:

ORDINANCE NO. O-07-02

AN ORDINANCE ADOPTING AN ECONOMIC DEVELOPMENT PLAN PURSUANT TO THE LOCAL ECONOMIC DEVELOPMENT ACT, ESTABLISHING APPLICATION REQUIREMENTS, AND AUTHORIZING THE COUNTY TO ENTER INTO JOINT POWERS AGREEMENTS WITH LOCAL GOVERNMENTS.

WHEREAS, Grant County, New Mexico (the "County") is a legally and regularly created, established, organized and existing county under the general laws of the State of New Mexico (the "State"); and

WHEREAS, Article 9, Section 14 of the State Constitution permits municipalities and counties to create new job opportunities by providing land, buildings or infrastructure for facilities to support new or expanding businesses, provided that adequate safeguards are employed to protect public monies and resources; and

WHEREAS, pursuant to the Local Economic Development Act, Sections 5-10-1 through 5-10-13 NMSA 1978 (the "Act"), no municipal or county assistance may be provided until the municipality or county has adopted by ordinance an economic development plan, or a comprehensive plan which includes an economic development component, which plan may be specific to a single economic development goal or strategy or may include several goals or strategies; and

WHEREAS, the County desires to adopt an economic development plan and encourage economic development of areas within and outside the County's limits by use of authority available under the Act;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF GRANT COUNTY, NEW MEXICO:

Section 1. Short Title. This ordinance may be cited as the "Local Economic Development Act Plan Ordinance."

Section 2. Purpose. This ordinance is adopted as the County's economic development plan. In accordance with the Act, the purpose of this Local Economic Development Act Plan Ordinance is to allow public support of economic development projects to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources.

Section 3. Economic Development Plan. The County hereby adopts an economic development plan as described in this Local Economic Development Act Plan Ordinance. The County may assist economic development projects in any legally permissible manner, including but not limited to the provision of land, building and infrastructure. The County may provide land, buildings and infrastructure it already

owns, or it may build, purchase or lease the facilities needed for an economic development project. The County may bear the full cost or contribute a portion of the costs and may waive applicable fees. The County may also contribute to the payment of costs for professional services contracts, including industry feasibility studies and planning and design services with respect to a project. The County may consider offering all forms of assistance allowed under this section and any other form of assistance allowed under the Act, as amended from time to time; however, the County has no obligation to offer any specific type or level of assistance.

Section 4. Application for Assistance. Any qualifying entity, as such term is defined in the Act from time to time, may propose an economic development project to the County and apply for assistance from the County. The applicant's proposal shall describe the proposed project, the type and amount of assistance sought from the County, and all other information requested by the County. The County intends to evaluate the applications, the form and extent of assistance proposed to be provided, the security to be provided to the County and other details of each proposed project on a case-by-case basis. The County may accept or reject proposals in its sole discretion.

Section 5. Public Inspection of Applications. Applications for assistance and all supporting documentation shall be available for public inspection.

Section 6. Substantive Contribution; Project Participation Agreement. If the County approves a request for assistance, it will do so by ordinance. In addition, the County and the recipient of assistance shall enter into a project participation agreement in accordance with the Act. The County may require that all recipients of assistance pursuant to the Act provide the County with periodic reports with respect to the project for which assistance was received.

Section 7. Joint Powers Agreements. The County may enter into joint powers agreements with local governments to develop a regional economic development plan in accordance with the Act, as in effect from time to time.

Section 8. Severability. If any section, paragraph, sentence, clause or word or phrase of this Local Economic Development Act Plan Ordinance is for any reason held to be invalid or unenforceable, by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Local Economic Development Act Plan Ordinance.

Section 9. Ratification. All action heretofore taken (not inconsistent with the express provisions of this Local Economic Development Act Plan Ordinance) by the Board and officers of the County directed toward the County's economic development plan and the subject matter of this Local Economic Development Act Plan Ordinance is ratified, approved and confirmed.

Section 10. Repealer Clause. All ordinances or resolutions or parts of ordinances or resolutions inconsistent herewith are hereby repealed to the extent only of

such inconsistency. This repealer shall not be construed to revive any ordinance or resolution or part of any ordinance or resolution heretofore repealed.

Section 11. Publication of Notice. The following notice shall be published one time in the *Silver City Daily Press*, being a legal newspaper published and of general circulation in the County, as soon as is practicable following the adoption hereof.

Commissioner _____ then moved that the ordinance as filed with the County Clerk at this meeting be passed and adopted. Commissioner _____ seconded the motion.

The question being upon the passage and adoption of the ordinance, the motion was voted upon with the following result:


Those Voting Yea:

Those Voting Nay:

Those Absent:


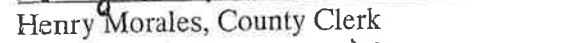
The Chairman thereupon declared that at least a majority of all the members of the Board having voted in favor thereof, the motion was carried and the ordinance duly passed and adopted.

After consideration of matters not relating to Grant County, New Mexico economic development plan, the meeting on motion duly made, seconded and unanimously carried, was adjourned.


Rodolpho Martinez, Chairman

(SEAL)

Attest:


Henry Morales, County Clerk
By 
Robert J. Sanchez
Deputy Clerk

MINUTES OF THE BOARD OF GRANT COUNTY COMMISSION
REGULAR MEETING August 23, 2007 3:00 P.M.

MEMBERS PRESENT

Rudy Martinez, Chairman
Henry Torres, Member
MaryAnn Sedillo, Member

OTHERS PRESENT

Jon Saari, County Manager
Robert Zamarripa, Deputy Clerk
Alfred Sedillo, County Treasurer
John Waters, CATS
Mary Alice Murphy, Silver City Daily Press
Randy Villa, Grant County Assessor
Raul "Bully" Holguin, Grant County Sheriff
Levi Hill, Silver City Sun News
Dolores Dominguez
Horace Jaramillo
Tracy Weber
Steve Berry
Deborah Berry
Brian Miller
Thomas Laws
Thomas Macarthur

(See Exhibit A)

**BOARD OF GRANT COUNTY COMMISSIONERS
REGULAR MEETING AGENDA
August 23, 2007- 3:00 pm**

1. Call to Order

Meeting was **CALLED TO ORDER** by Chairman Martinez at 3:00 P.M.

2. Pledge of Allegiance

**3. Approve/Disapprove Agenda for August 23, 2007
Commission Meeting**

Commissioner Torres **MOVED TO APPROVE** agenda for August 23, 2007 Commission Meeting. Commissioner Sedillo **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit A)**

4. Open Public Hearing

- **Outlaw Hideaway Subdivision**

Brian Miller from Z3 Planners gave a presentation on the Outlaw Hideaway Subdivision. Mr. Miller stated the subdivision had progressed to the point where a preliminary plat was ready for approval by the Grant County Board of Commissioners. Outlaw hideaway is approximately ½ mile north of the intersection of Arenas Valley Road and the XYZ Ranch road located on the west side. Mr. Miller asked the commission for approval of the preliminary plat, so that the subdivision could move forward in the next step of the subdivision phase. Commissioner Sedillo **MOVED TO APPROVE** the preliminary

plat for Outlaw Hideaway Subdivision. Commissioner Torres **SECONDED. MOTION CARRIED UNANIMOUSLY.**

- **Rio Mimbres Subdivision Roadside Slopes Variance Request Hearing**

Tracy Weber, Weber Engineering, presented on behalf of Berry Land Development Company. Mr. Weber requested a variance for the Rio Mimbres Subdivision. The requested variance is a modification of road side slopes found within the Rio Mimbres Subdivision. The request will allow the certain areas of the subdivision to be less disturbed and the roadway slopes would remain within the designated right-of-way. Commissioner Torres **MOVED TO APPROVE** the Roadside Slopes Variance. Commissioner Sedillo **SECONDED. MOTION CARRIED UNANIMOUSLY.**

- **Ordinance 0-07-01 Authorizing the Issuance of Grant County NM Project Revenue Bonds Series 2007**

Please Refer to Item 10 Ordinance.

- **Ordinance 0-07-02 Adopting an Economic Development Plan**

Please Refer to Item 10 Ordinance.

5. Close Public Hearing

6. Minutes

Approve/Disapprove Minutes from Commission Work Session Meeting August 7, 2007

Commissioner Sedillo **MOVED TO APPROVE** Minutes from August 7, 2007 Commission Work Session Meeting. Chairman Martinez **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit B)**

**Approve/Disapprove Minutes from Commission Regular Meeting
August 9, 2007**

Commissioner Sedillo **MOVED TO APPROVE** Minutes From Regular Meeting August 9, 2007. Commissioner Torres **SECONDED. MOTION CARRIED UNANIMOUSLY.**
(Exhibit C)

7. Financial Reports

A. Approve/Disapprove Treasurer's Report

Chairman Martinez **MOVED TO APPROVE** Treasures report as presented. Commissioner Torres **SECONDED. MOTION CARRIED UNANIMOUSLY.** (Exhibit D)

**B. Approve/Disapprove Expenditure Listing dated
August 8, 2007**

Commissioner Sedillo **MOVED TO APPROVE** Expenditure Listing Dated August 8, 2007. Commissioner Torres **SECONDED. MOTION CARRIED UNANIMOUSLY.**
(Exhibit E)

8. New Business

C. BLM- Forrest Road Opening off Cottage San Road

Mr. Runnels asked the Board of County Commissioners to open the BLM-Forrest Road. The Road is at the end of Cottage San road and would allow access to his property. Ms. Beverly Cleary ask the commission to leave the road closed. Ms. Cleary mentioned that the road is at a dead end, and poses no advantage of opening the

road. Ms. Cleary mentioned that it would be possible for Mr. Runnels to get an easement to access his property.

D. Proposal for Bike- Run held on Memorial Day weekend

Mr. Joe Ray asked the Grant County Board of Commissioners to support the annual Memorial Day weekend bike-run. Mr. Ray mentioned that the bike-run is growing more with each coming year. **(Exhibit F)**

E. Discussion on Loma Verde Road- Lonnie Sandoval

Mr. Sandoval did not appear for discussion.

F. Inventory Transfer Request.

Commissioner Sedillo **MOVED TO APPROVE** Inventory Transfer Request. Commissioner Torres **SECONDED**. **MOTION CARRIED UNANIMOUSLY. (Exhibit G)**

G. Inventory Deletion Request.

Commissioner Torres **MOVED TO APPROVE** Inventory Deletion Request. Chairman Martinez **SECONDED**. **MOTION CARRIED UNANIMOUSLY. (Exhibit H)**

H. Resolution Supporting Upper Gila Valley Arroyos Watershed District.

Commissioner Torres **MOVED TO APPROVE** Resolution supporting Upper Gila Valley Arroyos Watershed District. Commissioner Sedillo **SECONDED**. **MOTION CARRIED UNANIMOUSLY. (Exhibit I)**

9. Contracts & Agreements

I. Approve/Disapprove Agreement #A-07-74 Grant Offer for Airport Improvement Program Project No. 3-35-0039-007-2007

Commissioner Torres **MOVED TO APPROVE** Agreement #A-07-74 Grant offer for Airport Improvement Program Project No. 3-35-0039-007-2007. Chairman Martinez **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit J)**

J. Approve/Disapprove Agreement #A-07-75 Contracting for Audit Services for Fiscal Year Ending June 30, 2007

Commissioner Torres **MOVED TO APPROVE** Agreement #A-07-75 Contracting for Audit Services for Fiscal Year Ending June 30, 2007. Chairman Martinez **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit K)**

K. Approve/Disapprove Agreement #A-07-76 Department of Homeland Security & Emergency Management Grant Agreement NM Safe Border 08-Grant County

Commissioner Torres **MOVED TO APPROVE** Agreement #A-07-76 Department of Homeland Security & Emergency Management Grant Agreement NM Safe Border 08-Grant County. Chairman Martinez **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit L)**

**L. Approve/Disapprove Agreement #A-07-77
Contract from State Library for Bookmobile Library
Services**

Commissioner Sedillo **MOVED TO APPROVE**
Agreement #A-07-77 Contract from State Library for
bookmobile Library Services. Commissioner Torres
SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit M)

**M. Approve/Disapprove Agreement #A-07-77
New Mexico Tourism Department Cooperative
Marketing Grant Agreement #08-418-3002-0064 to Promote
Tourism.**

Commissioner Torres **MOVED TO APPROVE**
Agreement #A-07-77 Cooperative Marketing Grant
Agreement #08-418-3002-0064 to promote tourism.
Chairman Martinez **SECONDED. MOTION CARRIED**
UNANIMOUSLY. (Exhibit N)

**N. Approve/Disapprove Agreement #A-07-78
Grant County DWI Program Professional
Services Contract with Sangre De Cristo Community
Health Partnership**

Commissioner Torres **MOVED TO APPROVE**
Agreement #A-07-77 Cooperative Marketing Grant
Agreement #08-418-3002-0064 to promote tourism.
Chairman Martinez **SECONDED. MOTION CARRIED**
UNANIMOUSLY. (Exhibit O)

**O. Approve/Disapprove Agreement #A-07-79
With DOT for the Design, Reconstruction, Drainage
Improvements, Pavement Rehabilitation/Improvements
for County Roads Project Number CAP-1-08(401)**

Commissioner Sedillo **MOVED TO APPROVE**
Agreement #A-07-79 with DOT for the design,
Reconstruction, Drainage Improvements, Payment
Rehabilitation / Improvements for County Roads Project
Number CAP-108(401). Commissioner Torres **SECONDED.**
MOTION CARRIED UNANIMOUSLY. (Exhibit P)

**P. Approve/Disapprove Agreement #A-07-80
With DOT for the Design, Reconstruction, Drainage
Improvements, Pavement Rehabilitation/Improvements
for County Roads Project Number SP-1-08(901)**

Commissioner Sedillo **MOVED TO APPROVE**
Agreement #A-07-80 with DOT for the design,
Reconstruction, Drainage Improvements, Payment
Rehabilitation / Improvements for County Roads Project
Number SP-108(901). Commissioner Torres **SECONDED.**
MOTION CARRIED UNANIMOUSLY. (Exhibit Q)

**Q. Approve/Disapprove Agreement #A-07-81
With DOT for the Design, Reconstruction, Drainage
Improvements, Pavement Rehabilitation/Improvements
for County Roads Project Number SB-7717(924)08**

Commissioner Torres **MOVED TO APPROVE**
Agreement #A-07-81 with DOT for the design,
Reconstruction, Drainage Improvements, Payment
Rehabilitation / Improvements for County Roads Project
Number SB-7717(924)08. Chairman Martinez **SECONDED.**
MOTION CARRIED UNANIMOUSLY. (Exhibit R)

10. Ordinance

- R. Approve/Disapprove Ordinance 0-07-01
Authorizing the Issuant Of Grant County NM
Project Revenue Bonds Series 2007**

Commissioner Torres **MOVED TO APPROVE**
Ordinance 0-07-01 Authorizing the Issuant of Grant County
NM Project Revenue Bonds Series 2007. Chairman
Martinez **SECONDED. MOTION CARRIED UNAMIOUSLY.**
(Exhibit S)

- S. Approve/Disapprove Ordinance 0-07-02
Adopting an Economic Development Plan**

Commissioner Sedillo **MOVED TO APPROVE**
Ordinance 0-07-02 Adopting an Economic Development
Plan. Commissioner Torres **SECONDED. MOTION CARRIED**
UNAMIOUSLY. (Exhibit T)

11. Resolution

- T. Approve/Disapprove Resolution #R-07-46
Adopting an Economic development Plan
under the local economic Development Act Sections 5-10-1
through 5-10-13 NMSA 1978**

Commissioner Torres **MOVED TO APPROVE** Resolution #R-
07-46 Adopting an Economic Development plan under
the local economic Development Act Sections 5-10-1
through 5-10-13 NMSA 1978. Chairman Martinez
SECONDED. MOTION CARRIED UNAMIOUSLY. (Exhibit U)

U. Approve/Disapprove Resolution #R-07-47 Designating the Subdivision of Trout Valley a "Colonia" within Grant County

Commissioner Sedillo **MOVED TO APPROVE** Resolution #R-07-47 Designating the subdivision of Trout Valley a "Colonia" within Grant County. Commissioner Torres **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit V)**

V. Approve/Disapprove Resolution #R-07-48 Adopting an Infrastructure Capital Improvements Plan (ICIP)

Commissioner Torres **MOVED TO APPROVE** Resolution #R-07-48 Adopting an Infrastructure Capital Improvements Plan (ICIP) Commissioner Sedillo **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit W)**

12. Proclamation

Approve/Disapprove Proclamation Recognizing September as Mexican Food Month

Commissioner Torres **MOVED TO APPROVE** Proclamation recognizing September as Mexican food Month Chairman Martinez **SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit X)**

13. Bids

W. Approve/Disapprove Bid #B-07-04 for the Purchase of Concrete Material for Hamilton Bridge Project.

Commissioner Torres **MOVED TO DISAPPROVE** Bid #B-07-04 for the Purchase of Concrete Material for Hamilton Bridge

Project as NO BIDS were received Commissioner Sedillo
SECONDED. MOTION CARRIED UNANIMOUSLY. (Exhibit Y)

**X. Approve/Disapprove Bid #B-07-05 for the
Purchase of Reinforcing Bars for Hamilton
Bridge Project.**

Commissioner Sedillo **MOVED TO APPROVE** Bid #B-07-05
for the Purchase of Reinforcing Bars for Hamilton Bridge
Project. Commissioner Torres **SECONDED. MOTION
CARRIED UNANIMOUSLY. (Exhibit Z)**

**14. Recess as Board of Grant County Commissioners and
Reconvene as Grant County Indigent Hospital and County Health
Care Claims Board**

Commissioner Sedillo **MOVED TO APPROVE** Indigent Claims
dated August 16, 2007. Commissioner Torres **SECONDED.
MOTION CARRIED UNANIMOUSLY. (Exhibit ZZ)**

**15. Adjourn as Grant County Indigent Hospital and County
Health Care Claims Board and Reconvene as Board of Grant
County Commissioners**

16. Public Input

17. County Reports

County Assessor – No Report

County Clerk – No Report

Commissioners – No Report

Sheriff's Department – No Report

County Manager – No Report

County Treasurer – No Report

18. Adjournment

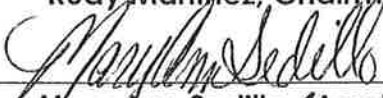
Commissioner Torres MOVED to adjourn.
Commissioner Martinez SECONDED. Meeting
adjourned at 5:15 P.M.

SIGNED AND APPROVED THIS 23rd DAY OF AUGUST, 2007.

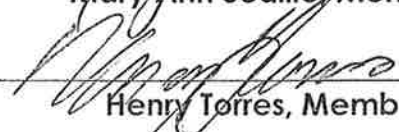
BOARD OF GRANT COUNTY COMMISSIONERS



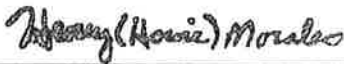
Rudy Martinez, Chairman



Mary Ann Sedillo Member



Henry Torres, Member

ATTEST: 

Henry (Howie) Morales, Grant County Clerk

BY:  TITLE: 