

ORDINANCE NUMBER O-116

**AN ORDINANCE REPEALING ORDINANCE NUMBER O-100 RELATING
TO AGREEMENTS BETWEEN CHAVES COUNTY THE NEW MEXICO
DEPARTMENT OF ECONOMIC DEVELOPMENT AND LEPRINO FOODS COMPANY**

WHEREAS, the Chaves County Economic Development Plan Ordinance enables the county to engage in public support of economic development projects which foster, promote, and enhance local development efforts, by § Section 5-10-1 thru 5-10-17, NMSA 1978; and

WHEREAS, the Chaves County Economic Development Ordinance allows the county to enter into a project participation agreement (PPA) with a qualifying entity in concert with the Local Economic Development Act (LEDA); and

WHEREAS, the Chaves County Economic Development Plan Ordinance also allows the county to enter into an Intergovernmental Agreement (IGA) to administer payments of project monies to the qualifying entity on behalf of the New Mexico Department of Economic Development and LEDA; and

WHEREAS, Leprino Foods Company is located at 5600 Omaha Road, Roswell, NM, where it has constructed a dairy processing and packaging facility; and

WHEREAS, Chaves County adopted Ordinance Number O-100 which identified Leprino Foods Company as a qualifying entity under LEDA, describing Leprino Foods Company as an industry for the manufacturing, processing, or assembling of an agricultural product; and

WHEREAS, an IGA was created between Chaves County and the New Mexico Department of Economic Development to administer the payment of \$200,000.00 in project monies to Leprino Foods Company to be used for the expansion and construction of a frozen warehouse facility; and

WHEREAS, Leprino Foods Company has fulfilled all of the requirements of the PPA and Chaves County has provided \$200,000 in project monies as required by the IGA; and

WHEREAS, the terms of both the PPA and the IGA have been fulfilled which deems this Ordinance O-100 unnecessary; and

WHEREAS, the Chaves County Economic Development Plan Ordinance requires that Ordinance O-100 be repealed by Ordinance; and

WHEREAS, both the New Mexico Department of Economic Development and Leprino Foods Company concur with the repeal of Ordinance O-100.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO THAT, Chaves County hereby repeals Ordinance O-100 with the adoption of Ordinance O-116 with the effective date being October 20, 2024.

BE IT FURTHER ORDAINED, that Chaves County hereby terminates its Intergovernmental Agreement with the New Mexico Department of Economic Development and the Project Participation Agreement with Leprino Foods Company both which were entered into pursuant to Ordinance O-100.

PASSED, ADOPTED, SIGNED and APPROVED the 19th day of September 2024.

BOARD OF COUNTY COMMISSIONERS

ATTEST

Cindy Fuller, County Clerk

Jeff Bilberry, Commission Chair