

**CHAVES COUNTY BOARD OF COMMISSIONERS
SPECIAL BUSINESS MEETING**

March 23, 2015 –5:00 p.m.

**Chaves County Administrative Center – Joseph R. Skeen Building
Commission Chambers - #1 St. Mary's Place**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

DETERMINATION OF QUORUM

PROCLAMATION-National Service Recognition Day

AGENDA ITEMS

A. PUBLIC HEARINGS

1. Amendments to Ordinances O-089, O-090, and O-091 – Dedicating County Hold Harmless Gross Receipts Taxes
2. Ordinance O-094, Pledging Chaves County, New Mexico Hold Harmless Gross Receipts Tax Revenues as Security for Chaves County, New Mexico Gross Receipts Tax Revenue Bonds Series 2007, Chaves County Loan Agreement dated June 13, 2013 and Chaves County Promissory Note dated January 13, 2015

B. OTHER BUSINESS

3. ITB-15-1-Uniforms for the Chaves County Sheriff's Office

**UNSCHEDULED COMMUNICATIONS LIMITED TO FIVE MINUTES PER VISITOR
NO FORMAL ACTION TAKEN BY COMMISSION**

- **COUNTY MANAGERS' COMMUNICATIONS**
- **COMMISSIONER'S COMMUNICATIONS**
- **SIGNATURE OF DOCUMENTS**
- **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the hearing of a meeting, please contact the County Commissioner's office at 575-624-6600. This should be done at least one week prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the County Commissioner's office if a summary or other type of accessible format is needed.

AGENDA ITEM: _____ 1 _____

Amendments to Ordinances O-089, O-090, and O-091 – Dedicating County Hold Harmless Gross Receipts Taxes.

MEETING DATE: March 23, 2015

STAFF SUMMARY REPORT

ACTION REQUESTED BY: Stanton L. Riggs, County Manager

ACTION REQUESTED: Conduct Public Hearing and Approve Amendments

ITEM SUMMARY:

These Amendments, if approved, would refine Section 4. Dedications to clearly illustrate the County's intentions that these gross receipts taxes are dedicated to general operation of Detention and Road and to debt service.

Staff recommends approval.

SUPPORT DOCUMENTS: Amended Ordinances O-089, O-090 and O-091

SUMMARY BY: Stanton L. Riggs

TITLE: County Manager

ORDINANCE NUMBER O-089

AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO that Section 4 of Ordinance Number 0-089, effective July 1, 2015, and imposing an excise tax equal to one-eighth of one percent (.125%) of gross receipts tax is amended to read:

Section 4. Dedication. Revenue from the county hold harmless gross receipts tax will be used for Chaves County Detention Center construction and operations, Chaves County Road Department, reimbursement of depleted funds used to construct Detention Center, and securing revenue bonds.

The effective date of this amendment shall be July 1, 2015 or January 1, 2016, whichever date occurs first after the expiration of at least three months from the date this ordinance is delivered or mailed to the Taxation and Revenue Department.

ADOPTED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO THIS ___ DAY of MARCH, 2015.

James W. Duffey, Chair,
Board of County Commissioners

ATTEST:

Dave Kunko, County Clerk

[SEAL]

ORDINANCE NUMBER O-090

AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO that Section 4 of Ordinance Number 0-090, effective July 1, 2015, and imposing an excise tax equal to one-eighth of one percent (.125%) of gross receipts tax is amended to read:

Section 4. Dedication. Revenue from the county hold harmless gross receipts tax will be used for Chaves County Detention Center construction and operations, and securing revenue bonds.

The effective date of this amendment shall be July 1, 2015 or January 1, 2016, whichever date occurs first after the expiration of at least three months from the date this ordinance is delivered or mailed to the Taxation and Revenue Department.

ADOPTED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO THIS __
DAY of MARCH, 2015.

James W. Duffey, Chair,
Board of County Commissioners

ATTEST:

Dave Kunko, County Clerk

[SEAL]

ORDINANCE NUMBER O-091

AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO that Section 4 of Ordinance Number 0-091, effective July 1, 2015, and imposing an excise tax equal to one-eighth of one percent (.125%) of gross receipts tax is amended to read:

Section 4. Dedication. Revenue from the county hold harmless gross receipts tax will be used for the operation of the Chaves County Detention Center and operations and Chaves County Road Department, and securing revenue bonds.

The effective date of this amendment shall be July 1, 2015 or January 1, 2016, whichever date occurs first after the expiration of at least three months from the date this ordinance is delivered or mailed to the Taxation and Revenue Department.

ADOPTED BY THE GOVERNING BODY OF CHAVES COUNTY, NEW MEXICO THIS __
DAY of MARCH, 2015.

James W. Duffey, Chair,
Board of County Commissioners

ATTEST:

Dave Kunko, County Clerk

[SEAL]

AGENDA ITEM: 2

Ordinance O-094, Pledging Chaves County, New Mexico Hold Harmless Gross Receipts Tax Revenues as Security for Chaves County, New Mexico Gross Receipts Tax Revenue Bonds Series 2007, Chaves County Loan Agreement dated June 13, 2013 and Chaves County Promissory Note dated January 13, 2015.

MEETING DATE: March 23, 2015

STAFF SUMMARY REPORT

ACTION REQUESTED BY: Stanton L. Riggs, County Manager

ACTION REQUESTED: Approve Ordinance O-094

ITEM SUMMARY:

This Ordinance, if passed, would reiterate the fact that Chaves County has pledged its hold harmless gross receipts tax revenues as security for indebtedness. It is a public hearing and has been properly advertised.

Staff recommends approval.

SUPPORT DOCUMENTS: Ordinance O-094

SUMMARY BY: Stanton L. Riggs

TITLE: County Manager

CHAVES COUNTY, NEW MEXICO

ORDINANCE NO. 0-094

PLEDGING CHAVES COUNTY, NEW MEXICO HOLD HARMLESS GROSS RECEIPTS TAX REVENUES AS SECURITY FOR CHAVES COUNTY, NEW MEXICO GROSS RECEIPTS TAX REVENUE BONDS, SERIES 2007, CHAVES COUNTY LOAN AGREEMENT DATED JUNE 13, 2013, AND CHAVES COUNTY PROMISSORY NOTE DATED JANUARY 13, 2015.

WHEREAS, the Board of County Commissioners (the "Board") of Chaves County, New Mexico (the "County") has previously authorized, issued, and has outstanding the County's Gross Receipts Tax Revenue Bonds, Series 2007, Chaves County Loan Agreement dated June 13, 2013, and Chaves County Promissory Note dated January 13, 2015 (collectively, the "Revenue Bonds"); and

WHEREAS, the ordinances and resolutions authorizing issuance of the Revenue Bonds all contain covenants to maintain the pledged gross receipts tax revenues (the "Pledged Revenues"); and

WHEREAS, the State of New Mexico (the "State") has amended Section 7-1-6.47, NMSA 1978 (the "State Distribution") to decrease the amount of revenues distributed to the County; and

WHEREAS, the decrease in the State Distribution adversely affects the Pledged Revenues and the Revenue Bonds; and

WHEREAS, pursuant to Section 7-20E-28, NMSA 1978, the County has enacted three-eighths of the Hold Harmless Gross Receipts Tax.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHAVES COUNTY, NEW MEXICO:

Section 1. Lien on Pledged Revenues. The County's Hold Harmless Gross Receipts Tax Revenues are hereby authorized to be pledged to, and are hereby pledged, and the County grants a security interest therein for the payment of the principal of, premium, if any, and interest on the Revenue Bonds:

Section 2. Ordinance Irrepealable. This Ordinance shall be and remain irrepealable until the Revenue Bonds and the interest thereon shall be fully paid, canceled and discharged, or there has been defeasance of the Revenue Bonds.

Section 3. Severability Clause. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Repealer Clause. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

Section 5. Effective Date. An emergency is hereby declared in order to preserve the health, welfare, and economy of the County and it is therefore necessary that this Ordinance became effective immediately upon filing with the County Clerk.

Passed and Adopted this 23rd day of March, 2015.

CHAVES COUNTY, NEW MEXICO
BOARD OF COUNTY COMMISSIONERS

James W. Duffey, Chair

Robert Corn, Vice-Chair

Kyle D. "Smiley" Wooton, Member

Kim Chesser, Member

William E Cavin, Member

[SEAL]

Attest:

Dave Kunko, County Clerk

Item # 3

ITB-15-1 – Uniforms for the Chaves
County Sheriff's Office

Meeting Date: 3-23-15

STAFF SUMMARY

REQUESTED BY: Tammy Brisco West, CPO, Purchasing Director

ACTION REQUIRED: Award ITB-15-1

SUMMARY:

The County has solicited bids under ITB-15-1 for Uniforms for the Sheriff's Office. The bids are scheduled to be opened on Friday, March 20, 2015. Staff will present the submission details and provide a recommendation for award at the meeting.

SUPPORT DOCUMENTS: Bid Summary

Submitted by: Tammy Brisco West, CPO
Title: Purchasing Director

BID SUMMARY

BID #: ITB-15-1

COMMODITY: Uniforms

USER DEPARTMENT(S): Sheriff's Department

SPECIFICATIONS BY: Tammy Brisco West, CPO, Purchasing Director

ADVERTISED: March 1, 2015, in the Roswell Daily Record and online through the NM Purchasing Group and Public Purchase bid distribution sites and on the County's website.

ADDENDA ISSUED: None.

OPEN DATE: March 20, 2015

SPECIFIC DESCRIPTION: This is a routine bid for uniforms that, if awarded, will serve as a price agreement for all orders placed through December 31, 2015 for uniforms for the Sheriff's Office and will be renewable for up to three additional one year terms. Specific conditions included "brand name or equal" requirements for standardization purposes; the requirement that measurements be taken within five working days of the placement of order. Items requested include standard and tactical duty shirts, pants and jackets.