



**QUAY COUNTY GOVERNMENT**

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

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**AGENDA  
SPECIAL SESSION  
QUAY COUNTY BOARD OF COMMISSIONERS  
August 4, 2014**

**9:00 A.M. Call Meeting to Order**

Pledge of Allegiance

Approval/Amendment of Agenda

**Public Comment**

**Old Business**

**I. Richard Primrose, Quay County Manager**

- Request Approval to Rescind 2014- 2015 Resolution No. 1 and Ordinance No. 47 County Area Emergency Communications and Emergency Medical and Behavioral Health Services Tax Adopting a Tax Increment

**Public Hearing**

**Brad Bryant, Quay County Commissioner Chair**

- **Proposed Ordinance No. 48 Countywide Emergency Communications and Emergency Medical and Behavioral Health Services Tax Adopting a Tax Increment**

**Close Public Hearing**

**New Business**

**II. Richard Primrose, Quay County Manager**

- Request Approval of 2014-2015 Resolution No. 6 and to Submit Proposed Ordinance No. 48 for Publication

**Meeting Adjourn**



DOC #CM-00342

08/12/2014 03:27 PM Doc Type: COCOM

Fee: (No FieldTag Finance TotalFees found)

Quay County, NM Veronica Marez, County Clerk

Pages: 11



**SPECIAL SESSION-BOARD OF QUAY COUNTY COMMISSIONERS**

**August 4, 2014**

**9:00 a.m.**

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in special session the 4<sup>th</sup> day of August, 2014 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the sole purpose of a Public Hearing.

**PRESENT & PRESIDING:**

Sue Dowell, Member  
Brad Bryant, Chairman  
Mike Cherry, Member  
Veronica Marez, Quay County Clerk  
Richard Primrose, Quay County Manager

**OTHERS PRESENT:**

Russell Braziel, KQAY Radio Station  
Steve Henson, Quay County Sun  
Ellen White, Quay County Chief Deputy Clerk  
Cheryl Simpson,  
Nathan Wallace, Quay County Resident

The meeting was called to order by Chairman Brad Bryant. Nathan Wallace led the Pledge of Allegiance.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell, to approve the agenda. MOTION carried with Mike voting "aye", Sue voting "aye" and Brad voting "aye".

Public Comment: NONE

Old Business:

Richard Primrose, Quay County Manager requested Approval to Rescind 2014-2015 Resolution No. 1 and Ordinance No. 47 County Area Emergency Communications and Emergency Medical and Behavioral Health Services Tax Adopting a Tax Increment due to error in Publication . A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the rescinded Resolution No. 1 and Ordinance No. 47. ROLL CALL; Dowell voting "aye", Cherry voting "aye", Bryant voting "aye".

PUBLIC HEARING

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell, to go into a Public Hearing for a Proposed Ordinance No 48. MOTION carried with Mike voting "aye", Sue voting "aye" and Brad voting "aye".

NO COMMENTS

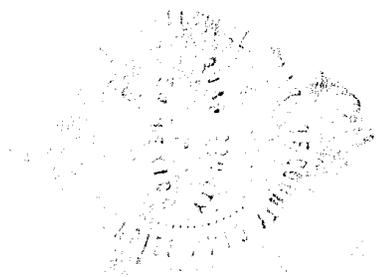
A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to return to regular meeting. MOTION carried with Cherry voting "aye", Bryant voting "aye" and Dowell voting "aye". No Action was taken. Return to regular session. Time noted 9:15 a.m.

NEW BUSINESS

Primrose requested Approval of 2014-2015 Resolution No. 6 and to Submit Proposed Ordinance No. 48 for Publication. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Resolution No. 6 and to Submit Ordinance No. 48 for Publication. ROLL CALL; Dowell voting "aye", Cherry voting "aye", Bryant voting "aye".

There being no further business, a MOTION was made by Brad Bryant, SECONDED by Mike Cherry to adjourn the special meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, August 11, 2014, at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 9:30 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS

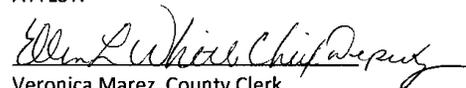


  
\_\_\_\_\_  
Brad Bryant, Chairman

  
\_\_\_\_\_  
Mike Cherry, Member

  
\_\_\_\_\_  
Sue Dowell, Member

ATTEST:

  
Veronica Marez, County Clerk

County Area Emergency Communications and  
Emergency Medical and Behavioral Health Services Tax

Adopting a Tax Increment

ORDINANCE NUMBER 47

ADOPTING A COUNTY AREA EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL AND  
BEHAVIORAL HEALTH SERVICES TAX

BE IT ORDAINED BY THE GOVERNING BODY OF

QUAY COUNTY

Rescinded 8/4/14  
Replaced with  
Ord. # 48

**Section 1. Imposition of Tax.** There is imposed on any person engaging in business in the county area outside of the boundaries of incorporated municipalities for the privilege of engaging in business in the county area, an excise tax equal to (one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "county area emergency communications and emergency medical and behavioral health services tax."

**Section 2. General Provisions.** This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

**Section 3. Specific Exemptions.** No county area emergency communications and emergency medical and behavioral health services tax shall be imposed on the gross receipts arising from:

- A. Transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the county to another point outside the county;
- B. Direct broadcast satellite services.

**Section 4. Dedication.** Revenue from the county area emergency communications and emergency medical and behavioral health services tax shall be dedicated to any of the following purposes:

1. Operation of an emergency communications center that has been determined by the Local Government Division of the Department of Finance and Administration to be a consolidated public safety answering point; or
2. Operation of emergency medical services provided by the county; or
3. Operation or the contracting for the operation of a behavioral health services facility providing alcohol abuse, substance abuse and inpatient and outpatient behavioral health treatment.

**Section 5. Effective Date.** The effective date of the county area emergency communications and emergency medical and behavioral health services tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of

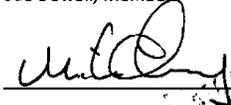
the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. **Delayed Repeal.** (Optional) Ordinance Number \_\_\_\_\_ (if it becomes law) is repealed effective \_\_\_\_\_.

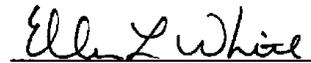
ADOPTED BY THE GOVERNING BODY OF QUAY COUNTY THIS 14 DAY OF July, 2014.

  
\_\_\_\_\_  
Brad Bryant, Chairman

  
\_\_\_\_\_  
Sue Dowell, Member

  
\_\_\_\_\_  
Mike Cherry, Member

ATTEST:

  
\_\_\_\_\_  
Veronica Marez, Quay County Clerk

2014-2015  
RESOLUTION NO. 1  
AND PROCLAMATION OF  
SPECIAL COUNTY ELECTION ADOPTING A COUNTY AREA EMERGENCY COMMUNICATIONS AND  
EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES TAX

*Rescinded 8/4/14  
Replaced with  
Res. #6*

WHEREAS, the Board of Commissioners of Quay County (herein the "Board"), in the State of New Mexico, has determined that a special election (herein, the Election") be held on Tuesday, September 16, 2014, pursuant to Section 7-20E-13F, NMSA 1978 which requires and election within 60 days after adoption of ordinance; and

WHEREAS, the Board has authorized Ordinance No. 47 ADOPTING A COUNTY AREA EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES TAX; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, IN THE COUNTY OF QUAY AND THE STATE OF NEW MEXICO.

**Section 1.** On the 16<sup>TH</sup> day of September 2014, there will be held in Quay County, New Mexico, a special election for the purpose of submitting to the qualified electors of the County of Quay, the question of implementing a "Special County Area Emergency Communications and Emergency Medical and Behavioral Health Services Tax"

**Section 2.** Said Election shall be held at the following precincts and polling places.

Precinct Consolidated Polling Places for a Special Election

- Prec.1 House Community/Senior Citizens Center – 110 South Apple Street – House
- Prec.2 Forrest Fire Department – 209 State Highway 210 – Forrest
- Prec.3 San Jon Community Center – 306 East Oak Avenue – San Jon
- Prec.4&5 Logan Civic Center – 100 North Second Street – Logan
- Prec. 6-12 Tucumcari Convention Center - 1500 West Route 66 Blvd., Tucumcari, NM
- Prec.13-14 Absentee & Early - Quay County Commissioners' Room – Courthouse – 300 South Third Street – Tucumcari

**Section 3.** The polls for said Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of Election.

**Section 4.** At the Election, the following questions shall be submitted to such qualified, registered electors of Quay County.

**QUESTION**  
**SPECIAL EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES**  
**GROSS RECEIPTS TAX**

Shall the County impose on any person engaging in business in the county area outside of the boundaries of incorporated municipalities for the privilege of engaging in business in the county area, an excise tax equal to (one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

For the Question:

Against the Question:

**Section 5:** A person is a qualified elector of the County if he or she is a citizen of the United States, at least 18 years of age on the day of the Election and a resident of the County on the day of the Election. In order to vote, qualified electors must have previously registered with the County Clerk of Quay County or a state or local agency in accordance with the law. Any qualified elector of the County who is not registered and who wishes to vote at such Election should register during regular office hours prior to 5:00 p.m. before August 19, 2014, the twenty-eighth day immediately preceding the Election at the office of the County Clerk of Quay County, at the County Courthouse in Tucumcari, New Mexico, or at the office of any deputy registration officer appointed by the County Clerk of Quay County as provided in Section 1-4-47&48, NMSA 1978.

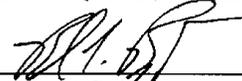
**Section 6.** Absentee voting will be permitted in the manner, authorized by 1-6-1 et seq., NMSA 1978; providing that qualified electors may also vote absentee in person at the office of the County Clerk of Quay County, during regular hours and days of business from 8:00 a.m., August 19, 2014, being the twenty-eighth day preceding the election, until 5:00 p.m., September 12, 2014, being the Friday immediately prior to the Election.

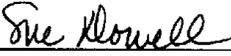
**Section 7.** Voting shall be by voting machines. At least one voting machine shall be used at the polling place for each voting precinct.

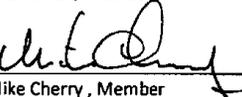
PASSED AND ADOPTED this 14 day of July, 2014.

BOARD OF QUAY COUNTY COMMISSIONERS

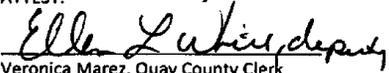


  
\_\_\_\_\_  
Brad Bryant, Chairman

  
\_\_\_\_\_  
Sue Dowell, Member

  
\_\_\_\_\_  
Mike Cherry, Member

ATTEST:

  
\_\_\_\_\_  
Veronica Marez, Quay County Clerk

RESOLUTION 2014-2015 – NO. 6  
AND PROCLAMATION OF  
SPECIAL COUNTY ELECTION ADOPTING A COUNTYWIDE EMERGENCY COMMUNICATIONS AND  
EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES TAX

WHEREAS, the Board of Commissioners of Quay County (herein the "Board"), in the State of New Mexico, has determined that a special election (herein, the Election") be held on Tuesday, September 23, 2014, pursuant to Section 7-20E-13F, NMSA 1978 which requires and election within 60 days after adoption of ordinance; and

WHEREAS, the Board has authorized Ordinance No. 48 ADOPTING A COUNTYWIDE EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES TAX; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, IN THE COUNTY OF QUAY AND THE STATE OF NEW MEXICO.

**Section 1.** On the 23<sup>rd</sup> day of September 2014, there will be held in Quay County, New Mexico, a special election for the purpose of submitting to the qualified electors of the County of Quay, the question of implementing a "Special Countywide Emergency Communications and Emergency Medical and Behavioral Health Services Tax"

**Section 2.** Said Election shall be held at the following precincts and polling places.

Precinct                    Consolidated Polling Places for a Special Election

Prec.1                    House Community/Senior Citizens Center – 110 South Apple Street – House

Prec.2                    Forrest Fire Department – 209 State Highway 210 – Forrest

Prec.3                    San Jon Community Center – 306 East Oak Avenue – San Jon

Prec.4&5                Logan Civic Center – 100 North Second Street – Logan

Prec. 6-12              Tucumcari Convention Center - 1500 West Route 66 Blvd., Tucumcari, NM

Prec.13-14             Absentee & Early - Quay County Commissioners' Room – Courthouse – 300 South Third Street – Tucumcari

**Section 3.** The polls for said Election will be open between the hours of 7:00 a.m. and 7:00 p.m. on the day of Election.

**Section 4.** At the Election, the following questions shall be submitted to such qualified, registered electors of Quay County.

**QUESTION**  
**SPECIAL COUNTYWIDE COMMUNICATIONS AND EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES**  
**GROSS RECEIPTS TAX**

Shall the County impose on any person engaging in business in the county for the privilege of engaging in business in the county an excise tax equal to (one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

For the Question:

Against the Question:

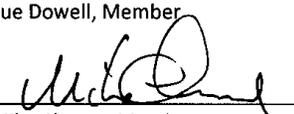
- Section 5:** A person is a qualified elector of the County if he or she is a citizen of the United States, at least 18 years of age on the day of the Election and a resident of the County on the day of the Election. In order to vote, qualified electors must have previously registered with the County Clerk of Quay County or a state or local agency in accordance with the law. Any qualified elector of the County who is not registered and who wishes to vote at such Election should register during regular office hours prior to 5:00 p.m. before August 26, 2014, the twenty-eighth day immediately preceding the Election at the office of the County Clerk of Quay County, at the County Courthouse in Tucumcari, New Mexico, or at the office of any deputy registration officer appointed by the County Clerk of Quay County as provided in Section 1-4-47&48, NMSA 1978.
- Section 6.** Absentee voting will be permitted in the manner, authorized by 1-6-1 et seq., NMSA 1978; providing that qualified electors may also vote absentee in person at the office of the County Clerk of Quay County, during regular hours and days of business from 8:00 a.m., August 26, 2014, being the twenty-eighth day preceding the election, until 5:00 p.m., September 19, 2014, being the Friday immediately prior to the Election.
- Section 7.** Voting shall be by voting machines. At least one voting machine shall be used at the polling place for each voting precinct.

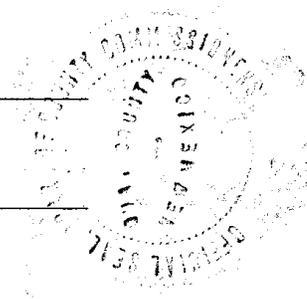
PASSED AND ADOPTED this 4th day of August, 2014.

BOARD OF QUAY COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Brad Bryant, Chairman

  
\_\_\_\_\_  
Sue Dowell, Member

  
\_\_\_\_\_  
Mike Cherry, Member



ATTEST  
  
\_\_\_\_\_  
Veronica Marez, Quay County Clerk

Countywide Emergency Communications and  
Emergency Medical and Behavioral Health Services Tax

Adopting a Tax Increment

ORDINANCE NUMBER 48

ADOPTING A COUNTYWIDE EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL AND  
BEHAVIORAL HEALTH SERVICES TAX

BE IT ORDAINED BY THE GOVERNING BODY OF

QUAY COUNTY

**Section 1. Imposition of Tax.** There is imposed on any person engaging in business in the county for the privilege of engaging in business in the county an excise tax equal to (one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "countywide emergency communications and emergency medical and behavioral health services tax."

**Section 2. General Provisions.** This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

**Section 3. Specific Exemptions.** No countywide emergency communications and emergency medical and behavioral health services tax shall be imposed on the gross receipts arising from:

- A. Transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the county to another point outside the county;
- B. Direct broadcast satellite services.

**Section 4. Dedication.** Revenue from the countywide emergency communications and emergency medical and behavioral health services tax shall be dedicated to any of the following purposes:

- 1. Operation of an emergency communications center that has been determined by the Local Government Division of the Department of Finance and Administration to be a consolidated public safety answering point; or
- 2. Operation of emergency medical services provided by the county; or
- 3. Behavioral health services.

**Section 5. Effective Date.** The effective date of the countywide emergency communications and emergency medical and behavioral health services tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results

of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

**Section 6. Delayed Repeal.** (Optional) Ordinance Number \_\_\_\_\_ (if it becomes law) is repealed effective \_\_\_\_\_.

ADOPTED BY THE GOVERNING BODY OF QUAY COUNTY THIS \_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_

QUAY COUNTY CLERK