



QUAY COUNTY GOVERNMENT

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AGENDA REGULAR SESSION QUAY COUNTY BOARD OF COMMISSIONERS December 22, 2014

9:00 A.M. Call Meeting to Order

Pledge of Allegiance

Approval of Minutes-Regular Session December 8, 2014

Approval/Amendment of Agenda

Public Comment

Public Hearing

Brad Bryant, Quay County Commission Chair

- Proposed Ordinance No. 49 Authorizing the Issuance and Sale of Taxable Industrial Revenue Bonds for the Caprock Solar LLC Project in Quay County

Public Hearing Adjourned

Ongoing Business-None

New Business

- I. **David Savage for Infigen Energy, Alan Hall for Rooley Law Firm and Daniel Alsup for Modrall, Sperling Law Firm**
 - Request Approval of Ordinance No. 49 Authorizing the Issuance and Sale of Taxable Industrial Revenue Bonds for the Caprock Solar LLC Project in Quay County
- II. **Phil Bidegain, Quay County Landowner**
 - Discussion of Annexation of Land into Quay County
- III. **Ellen White, Quay County Chief Deputy Clerk**
 - Report of Statewide Recount of Election Votes
 - Report regarding 2014 Occupational License Notices



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Fee: (No FieldTag Finance.TotalFees found) Pages: 38
Quay County, NM Veronica Marez, County Clerk



IV. Larry Moore, Quay County Road Superintendent

- Road Update

V. Richard Primrose, Quay County Manager

- Request Approval of DWI Planning Council Application for Membership for Kacee Benford
- Request Approval of the 2014 Emergency Management Performance Sub-Grant Agreement and Addendum
- Request Approval of a Memorandum of Understanding Adoption of Quay County Road by Harding County
- Request Approval of a Memorandum of Understanding Adoption of Harding County Road by Quay County
- Request Approval of 2014-2015 Resolution No. 23 approving 2015 Commission Meeting Dates and Requirements in compliance with the NM Open Meetings Act
- Request Approval of 2015 Commission Meeting Dates
- Request Approval of 2015 Quay County Holiday Schedule
- Discussion of 2015 Capital Outlay Legislative Funding Request
- Correspondence

VI. INDIGENT CLAIMS BOARD

- Call Meeting to Order
- Request Approval of Indigent Minutes for the November 24, 2014 Meeting
- Review December Claims Presented by Julie Lafferty
- Adjourn

VII. Request Approval of Accounts Payable

VIII. Other Quay County Business That May Arise During the Commission Meeting and/or Comments from the Commissioners

Adjourn

Lunch- Time and Location to be Announced

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

December 22, 2014

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22 day of December, 2014 at 9:00 a.m. at the Quay County Commission Room, Tucumcari, New Mexico, for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

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

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office
David Savage, Senior Business Development Manager for Infigen Energy
Alan Hall, Rodey Law Firm
Daniel Alsup, Modrall, Sperling Law Firm
Phil Bidegain, Quay County Landowner
Ellen White, Quay County Chief Deputy Clerk
Rusty Shafer, Quay County Sherriff Elect
Becky Wallace, Presbyterian Medical Services Admin.
Lance Labine, Presbyterian Hospital Administrator

Chairman Brad Bryant called the meeting to order. Phil Bidegain led the Pledge of Allegiance.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the minutes from the December 8, 2014 regular commission meeting. MOTION carried. ROLL CALL; Cherry voting "aye", Dowell voting "aye" Bryant voting "aye". A copy of the minutes is attached and made a part of these minutes.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the agenda. MOTION carried. ROLL CALL; Bryant voting "aye", Cherry voting "aye", Dowell voting "aye". ". A copy of the agenda is attached and made a part of these minutes.

PUBLIC COMMENT: Lance Labine, Presbyterian thanked the Commissioners for their support of the hospital and he wished everyone a Merry Christmas.

Lori Bidegain, Quay County Resident and Steve Hansen, Quay County Sun joined the meeting. Time noted 9:05 am.

PUBLIC HEARING:

Chairman Bryant called the Public Hearing portion of the meeting to order at 9:05 a.m. Proposed Ordinance No. 49; Authorizing the Issuance and Sale of Taxable Industrial Revenue Bonds for the Caprock Solar LLC Project in Quay County.

Bryant stated this project is going on in the San Jon area and introduced David Savage, Alan Hall and Daniel Alsup to the audience and Board for comments or concerns.

David Savage, Senior Business Development Manager for Infigen Energy gave a brief overview of the project. This project is being considered one project however two entities are involved that being Caprock Solar I, LLC and Caprock Solar II, LLC. The reason being there is interest from two different utilities in buying power from the project. Solar I is 25 megawatts and Solar II is 30 megawatts completing the 55 megawatt project. Bryant stated that information is provided in Ordinance No. 49. Attorney Daniel Alsup stated the project is entirely under the Infigen Energy umbrella. Bryant asked if that was a concern and Attorney Alan Hall responded there is no legal difference impacting the Public Hearing. Hall stated Ordinances can always be amended but the scope of the project isn't changing and requires no amendments. Hall stated one thing for the record to reflect is the land on which this solar installation will be placed was also included in a different Industrial Revenue Bond ten years ago known as the Caprock Wind IRB. Infigen will place the facility there as it already has some infrastructure that can be utilized. There will be an overlap of these bonds extending the tax exempt period to 40 years and State Statues only allow for a 30 year time frame. To avoid this overlap, they will take out the sublease removing the land from the 2004 subleases and place it into the new IRB then the lease will provide that in 20 years the land will be removed from the IRB project. So the total tax exemption on the land will be a total of 30 years with the first 10 years dedicated to the original IRB and the remaining 20 years to the new IRB.

Commissioner Cherry asked what portion of the project overlaps. Hall stated it was a very small portion of the land. Savage agreed also informing the Board that no wind power units exist on the land the solar plant will be built on. The new leases reflect that as well. Hall said even though the land was never developed and used in the initial IRB, it was included and the 30 year clock for that land needs to begin with the new project.

PUBLIC HEARING ADJOURNED: Chairman Bryant closed the Public Hearing at 9:20 a.m.

ONGOING BUSINESS: NONE

NEW BUSINESS:

David Savage, Senior Business Development Manager for Infigen Energy requested approval of the 2014-2015 Ordinance No. 49; Proposing Industrial Revenue Bonds for Caprock Solar LLC

Proposed Projects in Quay County. Commissioner Cherry clarified for the record that Mr. Savage is representing Infigen Energy, Attorney Daniel Alsup is the attorney overseeing the bonding process, and Attorney Alan Hall represents Quay County in this matter. Commissioner Dowell stated she by no means understands this whole process but is confident in the Attorneys overseeing the project and leading Quay County. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the Ordinance. MOTION carried with Bryant voting "aye", Cherry voting "aye", Dowell voting "aye". A copy of the Ordinance is attached and made a part of these minutes

Phil Bidegain, Quay County Landowner is requesting a Resolution supporting annexation of land from San Miguel County into Quay County. Quay County passed a Resolution but San Miguel will not vote on Resolution. Since the last visit, two other land owners are requesting land from San Miguel County to be annexed into Quay County with a total of 227,000 acres. San Miguel does not believe Bidegain has met the qualification and they will not vote and make a decision. Bidegain stated Quay County will not be taking on any additional county roads as it is all agricultural land. A Resolution will be presented at the next commission meeting January 12, 2015.

Chairman Bryant requested a ten minute break. Time noted 9:35 a.m.

Ellen White, Quay County Chief Deputy Clerk gave the following report:

1. The County Clerk's Office had a statewide recount for the State Land Commissioner race on December 11th with Quay County being the first completed with recount throughout the State. There were no changes in Quay County results.
2. Occupation license notices have been mailed out.
3. Swearing in ceremony for elected officials will be held Friday January 2, 2015 at 9:00 a.m. in Commission Room.

Larry Moore, Quay County Road Superintendent gave the following report:

1. Crews completed School Bus Project and will be completing paperwork today.
2. Moore and Primrose attended the RPO meeting in Harding County. A report was given on Match Waiver stating no verification of funding has been received.
3. Crews are hauling caliche from Downey Pit to shop.
4. Donald Walker will start Monday on the Wheeler Pit to get top soil off of it and check bottom for caliche.
5. Crews finished ditch on Quay Road AD. They removed two trees and rebuilt a fence.
6. Bought a couple of 24 volt trucks from GSA. Steve Burns can convert one truck to 12 volt trucks and it will be ready today.

County Manager, Richard Primrose gave the following report:

1. Requested approval of DWI Planning Council application for membership for Kacee Benford. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to

- approve the new member. MOTION carried. ROLL CALL; Dowell voting "aye", Bryant voting "aye", Cherry voting "aye".
2. Requested approval of the 2014 Emergency Management Performance Sub-Grant Agreement and Addendum. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Agreement. MOTION carried. ROLL CALL; Bryant voting "aye", Cherry voting "aye", Dowell voting "aye". A copy of the Sub-Grant Agreement and Addendum is attached and made a part of these minutes.
 3. Requested approval of a Memorandum of Understanding; Adoption of Quay County Road by Harding County. The portion of concern is Quay Road AF from block 7620-7800, also known as Strebeck Lane and is 2.0 miles. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Adoption of Quay County Road by Harding County. MOTION carried. ROLL CALL; Cherry voting "aye", Dowell voting "aye", Bryant voting "aye". A copy of the Memorandum is attached and made a part of these minutes.
 4. Requested approval of a Memorandum of Understanding; Adoption of Harding County Road by Quay County. The portion being 1.8 miles west of Quay County line on Quay Road 93. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Adoption of Harding County Road. MOTION carried. ROLL CALL; Dowell voting "aye", Bryant voting "aye", Cherry voting "aye". A copy of the Memorandum is attached and made a part of these minutes.
 5. Requested approval of 2014-2015 Resolution No. 23; Approving 2015 Commission Meeting Dates and Requirements in compliance with the NM Open Meetings Act. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Resolution. MOTION carried. ROLL CALL; Bryant voting "aye", Cherry voting "aye", Dowell voting "aye". A copy of the Resolution is attached and made a part of these minutes.
 6. Requested approval of 2015 Commission Meeting Dates. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Commission Meeting Dates. MOTION carried. ROLL CALL; Cherry voting "aye", Dowell voting "aye", Bryant voting "aye". A copy of the Commission Meeting Dates is attached and made a part of these minutes.
 7. Requested approval of 2015 Quay County Holiday Schedule. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Holiday Schedule. MOTION carried. ROLL CALL; Dowell voting "aye", Bryant voting "aye", Cherry voting "aye". A copy of the Holiday Schedule is attached and made a part of these minutes.

Primrose asked the Commissioners if they had any preference of priorities for the 2015 Capital Outlay Legislative Funding Request. Commissioner Dowell had the following suggestions:

- Transport Van-QCDC – Primrose and Sheriff Shafer stated that item did not need to be a top priority
- Handicap Accessibility and Courthouse steps
- Judicial Building for District Attorney's
-

Commissioner Cherry informed Commissioner Dowell that they have approved the Capital Outlay Legislative Priorities in August. What we are discussing is what we want to Legislature to look at for Capital Outlay. Dowell said the items she was mentioning were already on the list

but perhaps reprioritizing based on the amounts required would enable them to do more with the money allocated. A MOTION was made by Mike Cherry to allow Primrose to have this discretion, when it comes down towards the end of the session and he meets with the legislators and allow the County Manager to make the recommendations based off the funding that might be available. Commissioner Dowell informed Commissioner Cherry that 3 of the 5 priorities have to do with road department and she is asking for diversity of how the County spends this money. A MOTION was made and SECONDED by Brad Bryant to approve the top 5 issues on the Capital Outlay Priorities and to give Richard Primrose, Quay County Manager authority in negotiating the priorities for Capital Outlay to Legislature. MOTION carried with Dowell voting "aye", Bryant voting "aye", Cherry voting "aye".

CORRESPONDENCE

1. Received a letter from NM Environmental Department informing the Commissioners that they are receiving comments and statements of interest regarding application and will create mailing lists for persons who wish to receive future notices about a particular facility.
2. Presented the monthly RPHCA report.
3. Repairs on Detention Center roof are continuing.
4. Primrose met with HDR December 11, 2014 in Logan, they made rounds to Ute Dam, City of Tucumcari and Conchas Dam. They are gathering data for the 40 year water plan.
5. Primrose received an email Friday informing him that the Multi-Line Insurance premium is going up 10% for the County. The Law Enforcement portion remained the same.
6. Quay County will be closed December 25th, 26th and January 1, 2015 for the holiday season.
7. Primrose wished everyone a Merry Christmas and Happy New Year.

Primrose thanked Brad Bryant for 4 years of service and he enjoyed working with him.

Chairman Bryant said he enjoyed working with all the staff and Primrose. He said it's a hard job and you don't receive a lot of pats on the back. Not a lot gets accomplished and things move slow. Bryant said it's gratifying once you get a few things done during your term.

Commissioner Cherry presented Chairman Bryant with a plaque and thanked him for his services and he enjoyed working with him.

Commissioner Dowell really appreciated what Bryant has done to help her understand things that have come up and it has been a pleasure working with him. The thing that is most important to Dowell was even when they were on opposite sides of issues and did not agree, Bryant was never disagreeable towards her and she thanked him for that.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to go into session as the Indigent Claim Board. MOTION carried. ROLL CALL; Cherry voting "aye", Dowell voting "aye", Bryant voting "aye". Time noted 11:00 a.m.

-----INDIGENT CLAIMS BOARD-----

Return to regular session. Time noted 11:04 a.m.

CHECKS WERE REVIEWED. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve payments. MOTION carried. ROLL CALL; Dowell voting "aye", Cherry voting "aye", Bryant voting "aye".

Return to regular session. Time noted 11:05 am.

Other Quay County Business That May Arise During the Commission Meeting and /or Comments from the Commissioners:

Commissioner Dowell would like to encourage employees to take advantage of the Edge Classes that NM State provides for the Counties.

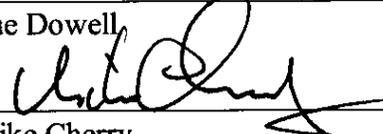
Commissioner Cherry said it has been a good year and wished everyone a Merry Christmas and Happy New Year.

There being no further business, a MOTION was made by Mike Cherry, SECONDED by Sue Dowell to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, January 12, 2015 at 9:00 a.m. unless sooner called. The Commissioners announced they would be having lunch at K Bob's and all those in attendance were invited. MOTION carried. ROLL CALL; Cherry voting "aye", Dowell voting "aye", Bryant voting "aye". Time noted 11:20 a.m.

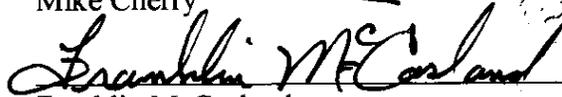
BOARD OF QUAY COUNTY COMMISSIONERS



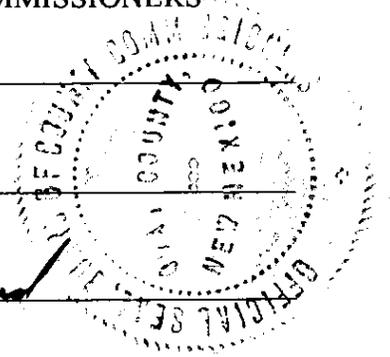
Sue Dowell



Mike Cherry



Franklin McCasland



ATTEST:


Veronica Marez, County Clerk

QUAY COUNTY, NEW MEXICO
BOARD OF COUNTY COMMISSIONERS
ORDINANCE NO. 49

AUTHORIZING THE ISSUANCE AND SALE OF QUAY COUNTY, NEW MEXICO TAXABLE INDUSTRIAL REVENUE BONDS (CAPROCK SOLAR 1, LLC AND CAPROCK SOLAR 2, LLC PROJECTS) SERIES 2015A AND SERIES 2015B IN THE MAXIMUM PRINCIPAL AMOUNT OF \$116,500,000 TO PROVIDE FUNDS TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF SOLAR PHOTOVOLTAIC ELECTRIC GENERATING FACILITIES FOR THE PURPOSE OF GENERATING ELECTRICITY; AUTHORIZING THE EXECUTION AND DELIVERY OF INDENTURES, LEASE AGREEMENTS, BOND PURCHASE AGREEMENTS, BONDS, AND OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND THE PROJECTS; MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO THE BONDS AND THE PROJECTS; RATIFYING CERTAIN ACTIONS TAKEN PREVIOUSLY; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE.

WHEREAS, Quay County (the "County") is a legally and regularly created, established, organized and existing political subdivision of the State of New Mexico (the "State") created pursuant to Sections 4-30-1 and 4-30-2, NMSA 1978, as amended; and

WHEREAS, pursuant to New Mexico Statutes Annotated, Sections 4-59-1 through 4-59-16 NMSA 1978, as amended (the "Act"), the County is authorized to acquire industrial revenue projects to be located within the County, to issue industrial revenue bonds and to use the proceeds of such bonds for the purpose of promoting the use of the natural resources of the State and promoting industry and developing trade or other economic activity to secure and maintain a balanced and stable economy in the county to promote public health, welfare, safety, convenience and prosperity; and

WHEREAS, Caprock Solar 1, LLC and Caprock Solar 2, LLC (together, the "Companies") are Texas limited liability companies, authorized to do business in New Mexico; and

WHEREAS, the Companies have presented to the Quay County Board of County Commissioners (the "Commission") a proposal whereby the County would (a) issue its Taxable Industrial Revenue Bonds (Caprock Solar 1, LLC Project), Series 2015A (the "Series 2015A Bonds"), (b) issue its Taxable Industrial Revenue Bonds (Caprock Solar 2, LLC Project), Series 2015B (the "Series 2015B Bonds" and together with the Series 2015A Bonds, the "Bonds"), and (c) acquire solar photovoltaic electric generating facilities, including conversion equipment, solar tracking hardware and software, photovoltaic panels and inverters, support structures and related equipment used to generate electricity from solar energy and land leases related to the Projects (collectively, the "Project Property"), located within a part of the County which is outside the corporate limits of any municipality in the County, to be used by the Companies for the

generation and transportation of electricity via an interconnection directly to a substation through a generation tie line that has already been constructed; and

WHEREAS, the Companies have requested that the County issue industrial revenue bonds for the purpose of providing funds to finance the acquisition, construction, installation, and equipping of solar photovoltaic electric generating facilities for the purpose of generating electricity (the "Projects"). The County has been advised by the Companies that neither location approval nor a certificate of convenience and necessity are required prior to commencing construction or operation of the facility pursuant to the laws of the State; and

WHEREAS, under the Companies' proposal, the County would enter into Indentures of Trust (the "Indentures") with Caprock Solar Holdings 1, LLC and Caprock Solar Holdings 2, LLC, Texas limited liability companies, authorized to do business in New Mexico and subsidiaries of the Companies (the "Purchasers") and BOKF, N.A. dba Bank of Albuquerque (the "Depository"), pursuant to which and together with this ordinance (the "Bond Ordinance"), the County would issue the Bonds; and

WHEREAS, under the Company's proposal, the County and the Companies would enter into Leases (the "Leases"), pursuant to which the Companies will lease the Project Property from the County and the Companies will make payments sufficient to pay the principal of and interest on the Bonds and to pay all other obligations incurred pursuant to the provisions of the Leases and the Bond Ordinance; and

WHEREAS, the County is authorized to enter into, deliver and perform all of its obligations under the Bond Documents and to issue, execute and deliver the Bonds pursuant to the Act and the Bond Ordinance; and

WHEREAS, the Series 2015A Bonds in a principal amount not to exceed \$52,500,000 and the Series 2015B Bonds in a principal amount not to exceed \$64,000,000, will be issued, sold and delivered by the County in a private sale to the Purchaser pursuant to bond purchase agreements to be dated as of the initial date of delivery of the Bonds among the County, the Purchaser and the Companies (the "Bond Purchase Agreements"); and

WHEREAS, the proceeds of the Bonds shall be applied to pay the costs of the Projects and to pay certain costs associated with the transactions; and

WHEREAS, the Commission has determined that it is in the best interest of the County to issue the Bonds and to execute and deliver the Bond Documents, defined below, and other documents related thereto; and

WHEREAS, the County will enter into the following documents in connection with the issuance of the Bond:

1. Leases
2. Indentures
3. Bond Purchase Agreements

4. Bonds

The Leases, Indentures, Bond Purchase Agreements and Bonds are collectively referred to in the Bond Ordinance as the "Bond Documents"; and

WHEREAS, the County is authorized to issue the Bonds under the Act and after having considered the Companies' proposal, has concluded that it is desirable at this time to authorize the issuance of the Bonds to finance the Projects and that the County's issuance of the Bonds will constitute and be a valid public purpose; and

WHEREAS, this Commission has been advised by Bond Counsel that the disclosure provisions of Rule 15c2-12 of the Securities and Exchange Commission are not applicable to this transaction inasmuch as the Bonds are being sold in a private sale without participation of an underwriter; and

WHEREAS, there has been published in the *Quay County Sun*, a newspaper of general circulation in the County, public notice of the Commission's intention to adopt this Bond Ordinance, which notice contained certain information concerning the ownership, purpose, location and size of the Projects and the amount of the Bonds to be issued to finance the Projects, which notice was published at least fourteen (14) days prior to final action upon this Bond Ordinance; and

WHEREAS, the acquisition of the Project Property has been approved by the San Jon Municipal School District.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, THE GOVERNING BODY OF QUAY COUNTY, NEW MEXICO:

Section 1. RATIFICATION. All actions not inconsistent with the provisions of this Bond Ordinance previously taken by the Commission and the officials of the County directed toward approval of the issuance and sale of the Bonds be approved and the same hereby are ratified, approved and confirmed.

Section 2. FINDINGS.

A. General. The Commission hereby declares that it has considered all relevant information presented to it relating to the Bonds and the Projects and hereby finds and determines that the issuance of the Bonds pursuant to the Bond Ordinance to provide funds for the Projects are necessary and advisable and in the interest of and will promote the use of the natural resources of the State, industry and trade and a sound and proper balance in the State between agriculture, commerce and industry.

B. The Commission finds that:

- (1) The Bonds will be issued for the purpose of financing the Projects.

(2) The aggregate face amount of obligations to be issued with respect to financing the Projects will not collectively exceed \$116,500,000.

(3) The developers of the Project Property are the Companies.

(4) The Project Property is located in the County approximately 10 miles south of San Jon and outside the corporate limits of any municipality located in the County.

Section 3. BONDS - APPROVAL, AUTHORIZATION AND DETAIL.

A. Approval and Sale.

The issuance of the Bonds in a principal amount not to collectively exceed \$116,500,000 and the use of the proceeds of the Bonds to finance the cost of the Projects including payment of transaction expenses related thereto are hereby approved and confirmed. The sale of the Bonds at par at a purchase price not to collectively exceed \$116,500,000 is approved.

B. Form and Terms.

Subject to the limitations set forth in this Bond Ordinance, the Bonds shall (i) be in the form and denomination and shall be numbered and dated as set forth in the Indentures, (ii) be payable as to principal and interest and subject to optional and mandatory redemption and defeasance in the amounts, upon the conditions and at the times and prices set forth in the Indentures; and (iii) be issued in a principal amount not to collectively exceed \$116,500,000, bearing interest at the rate and maturing on the date set forth in the Indentures.

C. Execution. The Bonds shall be signed by the presiding officer of the Board of County Commissioners of the County.

D. Interest Rate. The interest rate on the Bonds shall not exceed 6% per annum.

Section 4. AUTHORIZATION OF OFFICERS; APPROVAL OF DOCUMENTS; ACTIONS TO BE TAKEN. The Leases shall include a provision that the Companies pay the County payments in lieu of taxes ("PILOT Payments") for so long as the Bonds are outstanding. The amount of the PILOT Payments shall be acceptable to the Commission and the Board of the San Jon Municipal School District. The Leases shall also include a "claw back" provision which requires the Companies to pay the County a percentage of the amount of abated ad valorem property taxes less the amount of the PILOT payments paid to the County if the Projects are abandoned or decommissioned within a time period determined by the Commission.

The Bond Documents in the form presented to the Commission are hereby approved. The presiding officer of the Board of County Commissioners of the County is authorized to approve the form, terms and provisions of the Bond Documents on behalf of the Commission,

provided that such form, terms and provisions are consistent with this Bond Ordinance and to execute and deliver in the name and on behalf of the County, and the County Clerk or Deputy County Clerk is hereby authorized to attest, as necessary, the Bond Documents.

The County Clerk is further authorized to execute, authenticate and deliver such certifications, instruments, documents, letters and other agreements, including security agreements, and to do such other acts and things, either prior to or after the date of delivery of the Bonds, as are necessary or appropriate to consummate the transactions contemplated by the Bond Documents.

The Presiding Officer of the Commission, the County Manager and other officers of the County shall take such action as is necessary to effectuate the provisions of the Indentures and shall take such action as is necessary in conformity with the Act to finance the costs of the Projects and for carrying out other transactions as contemplated by this Ordinance, and the Bond Documents, including, without limitation, the execution and delivery of any closing documents to be delivered in connection with the sale and delivery of the Bonds.

Section 5. DELIVERY OF BONDS. Upon the execution of the Bond Documents, the satisfaction of the conditions set forth in the Bond Documents and upon receipt of the purchase price for the Bonds, the Bonds shall be executed, authenticated and delivered to the Purchaser. The Bonds shall not be valid for any purpose until the Bonds have been properly authenticated as set forth in the Indentures.

Section 6. FUNDS AND ACCOUNTS. There is established in the Indentures, and on and after the date on which the Bonds are issued there shall be maintained, the funds and accounts as set forth in the Indentures. Other funds and accounts may be established as are necessary under the Indentures.

Section 7. FINDINGS REGARDING PAYMENT OF PRINCIPAL AND OTHER MATTERS. The following determinations are made:

A. The maximum amount necessary in each year to pay the principal of and interest on the Series 2015A Bonds, assuming issuance of the Series 2015A Bonds as of January 1, 2015, in the maximum aggregate principal amount of \$52,500,000 and bearing an interest rate of 2.74%, is as follows:

<u>Year</u>	<u>Total Debt Service</u>	<u>Principal</u>	<u>Interest</u>
2015	\$1,438,500	\$-0-	\$1,438,500
2016	\$1,438,500	\$-0-	\$1,438,500
2017	\$1,438,500	\$-0-	\$1,438,500
2018	\$1,438,500	\$-0-	\$1,438,500
2019	\$1,438,500	\$-0-	\$1,438,500
2020	\$1,438,500	\$-0-	\$1,438,500
2021	\$1,438,500	\$-0-	\$1,438,500
2022	\$1,438,500	\$-0-	\$1,438,500
2023	\$1,438,500	\$-0-	\$1,438,500
2024	\$1,438,500	\$-0-	\$1,438,500
2025	\$1,438,500	\$-0-	\$1,438,500
2026	\$1,438,500	\$-0-	\$1,438,500
2027	\$1,438,500	\$-0-	\$1,438,500
2028	\$1,438,500	\$-0-	\$1,438,500
2029	\$1,438,500	\$-0-	\$1,438,500
2030	\$1,438,500	\$-0-	\$1,438,500
2031	\$1,438,500	\$-0-	\$1,438,500
2032	\$1,438,500	\$-0-	\$1,438,500
2033	\$1,438,500	\$-0-	\$1,438,500
2034	\$1,438,500	\$-0-	\$1,438,500
2035	\$1,438,500	\$-0-	\$1,438,500
2036	\$1,438,500	\$-0-	\$1,438,500
2037	\$1,438,500	\$-0-	\$1,438,500
2038	\$1,438,500	\$-0-	\$1,438,500
2039	\$1,438,500	\$-0-	\$1,438,500
2040	\$1,438,500	\$-0-	\$1,438,500
2041	\$1,438,500	\$-0-	\$1,438,500
2042	\$1,438,500	\$-0-	\$1,438,500
2043	\$1,438,500	\$-0-	\$1,438,500
2044	\$53,938,500	\$52,500,000	\$1,438,500

B. The maximum amount necessary in each year to pay the principal of and interest on the Series 2015B Bonds, assuming issuance of the Series 2015B Bonds as of June 1, 2015, in the maximum aggregate principal amount of \$64,000,000 and bearing an interest rate of 2.74%, is as follows:

<u>Year</u>	<u>Total Debt Service</u>	<u>Principal</u>	<u>Interest</u>
2015	\$1,315,200	\$-0-	\$876,800
2016	\$1,315,200	\$-0-	\$1,753,600
2017	\$1,753,600	\$-0-	\$1,753,600
2018	\$1,753,600	\$-0-	\$1,753,600
2019	\$1,753,600	\$-0-	\$1,753,600
2020	\$1,753,600	\$-0-	\$1,753,600
2021	\$1,753,600	\$-0-	\$1,753,600
2022	\$1,753,600	\$-0-	\$1,753,600
2023	\$1,753,600	\$-0-	\$1,753,600
2024	\$1,753,600	\$-0-	\$1,753,600
2025	\$1,753,600	\$-0-	\$1,753,600
2026	\$1,753,600	\$-0-	\$1,753,600
2027	\$1,753,600	\$-0-	\$1,753,600
2028	\$1,753,600	\$-0-	\$1,753,600
2029	\$1,753,600	\$-0-	\$1,753,600
2030	\$1,753,600	\$-0-	\$1,753,600
2031	\$1,753,600	\$-0-	\$1,753,600
2032	\$1,753,600	\$-0-	\$1,753,600
2033	\$1,753,600	\$-0-	\$1,753,600
2034	\$1,753,600	\$-0-	\$1,753,600
2035	\$1,753,600	\$-0-	\$1,753,600
2036	\$1,753,600	\$-0-	\$1,753,600
2037	\$1,753,600	\$-0-	\$1,753,600
2038	\$1,753,600	\$-0-	\$1,753,600
2039	\$1,753,600	\$-0-	\$1,753,600
2040	\$1,753,600	\$-0-	\$1,753,600
2041	\$1,753,600	\$-0-	\$1,753,600
2042	\$1,753,600	\$-0-	\$1,753,600
2043	\$1,753,600	\$-0-	\$1,753,600
2044	\$64,876,800	\$64,000,000	\$876,800

C. The Bonds will bear interest at the Annual Long-Term Applicable Federal Rate for the month in which the Bonds are issued for purposes of Section 1288(b) of the Internal Revenue Code.

D. The Bonds may be redeemed at any time without premium.

E. It shall not be necessary to deposit any amount in a debt service reserve fund or a repair and replacement reserve fund for the maintenance of the Project Property.

F. The Leases require that the Companies maintain the Project Property in safe repair and in such operating condition as is needed for its operations and carry proper insurance with respect to the Project Property as provided in the Leases.

G. The Leases require the Companies to make lease payments in an amount sufficient to pay the principal of and interest on the Bonds as principal and interest become due and to pay all Related Costs.

Section 8. LIMITED OBLIGATIONS. The Bonds shall be a special limited obligation of the County, payable solely from the Base Rent (as defined in the Leases) paid by the Companies to the County as described in the Indenture and any other property or interest of the County specifically pledged under the Indenture and shall never constitute a debt or indebtedness of the County or the State or any political subdivision thereof within the meaning of any provision or limitation of the State Constitution or statutes, and shall not constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power. Nothing contained in the Bond Ordinance or in the Bond Documents or any other instruments shall be construed as obligating the County (except with respect to the Project Property and the application of the revenues therefrom and the proceeds of the Bonds, all as provided in the Bond Documents), nor as incurring a pecuniary liability or a charge upon the general credit of the County or against its taxing powers, nor shall the breach of any agreement contained in the Bond Ordinance, the Bond Documents, the Bonds or any other instrument be construed as obligating the County (except with respect to the Project Property and the application of the revenues therefrom and the proceeds of the Bonds, all as provided in the Bond Documents), nor as incurring a pecuniary liability or a charge upon the general credit of the County or against its taxing power, the County having no power to pay out of its general funds, or otherwise contribute any part of the costs of constructing or equipping the Project Property, nor power to operate the Project Property as a business or in any manner except as lessor of the Project Property.

Section 9. APPROVAL OF INDEMNIFICATION. The Commission specifically requires that the Leases contain provisions relating to indemnification which provide that the Companies shall indemnify and hold harmless the County and its Board of County Commissioners, officials, employees and agents against liability to the Companies, or to any third parties, that may be asserted against the County or its Board of County Commissioners, officials, members, officers, employees or agents with respect to the County's ownership of the Project Property or the issuance of the Bonds and arising from the condition of the Project Property or the acquisition, construction and operation of the Project Property by the Companies, except to the extent New Mexico Statutes Annotated Section 56-7-1, NMSA 1978, would preclude such indemnity, and except claims for any loss or damage to the extent caused by the gross negligence or willful misconduct of the County or its Board of County Commissioners, or any official, employee or agent of the County.

Section 10. BOND ORDINANCE IRREPEALABLE. After the Bonds are issued, the Bond Ordinance shall be and remain irrepealable until the Bonds, including interest, are fully paid, canceled and discharged or there has been defeasance of the Bonds in accordance with the Indentures.

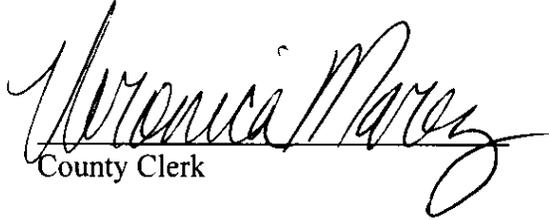
Section 11. REPEALER. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent with this Bond Ordinance are repealed by this Bond Ordinance but only to the extent of that inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, previously repealed.

Section 12. SEVERABILITY. If any section, paragraph, clause or provision of the Bond Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of the Bond Ordinance.

Section 13. RECORDING; AUTHENTICATION; PUBLICATION; EFFECTIVE DATE. This Ordinance, immediately upon its final passage and approval, shall be authenticated by the signature of the presiding officer of the Board of Commissioners, and by the signature of the County Clerk or any Deputy County Clerk, and shall be recorded in the Ordinance book of the County, kept for that purpose, and shall be in full force and effect thereafter in accordance with the laws of the State, and notice of adoption thereof shall be published once in a newspaper which maintains an office in, and is of general circulation in the County.

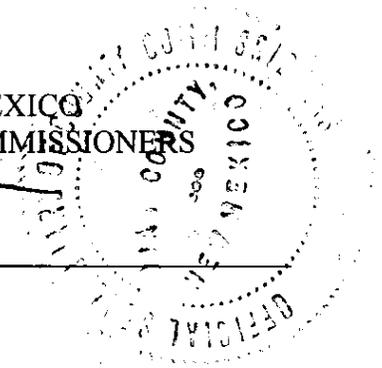
Done this 22nd day of December, 2014.

ATTEST:

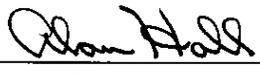

County Clerk

QUAY COUNTY, NEW MEXICO
BOARD OF COUNTY COMMISSIONERS

By 
Chair



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


County Attorney

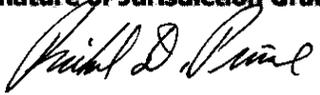
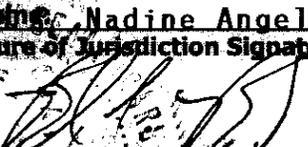
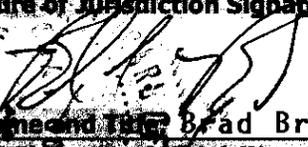


**NEW MEXICO DEPARTMENT OF HOMELAND SECURITY
& EMERGENCY MANAGEMENT**

Sub-Grant Amendment

2014 Emergency Management Performance Grant Program

2014 Federal Grant No. EMW-2014-EP-00047 CFDA No. 97.042

1. Sub-Grant No. EMW-2014-EP-00047-Quay County		2. Recipient Quay County		3. Amendment Number 1	
5. Recipient Address Quay County 300 S. Third Street PO Box 1246 Tucumcari, NM 88401				6. Issuing Office and Address New Mexico Department of Homeland Security & Emergency Management PO Box 27111 Santa Fe, NM 87502	
7. Effective Date of This Action: January 1, 2015			8. DHSEM Grant Specialist:		Phone: 505-476-9614 Fax: 505-476-9695 Email:
9. Termination Date: September 30, 2015			Arianna Burger		arianna.burger@state.nm.us
10. Award Amount: <p align="center">Federal Award Amount: \$25,629.00</p>					
11. Type of Amendment: <i>To correct Sub-Grant Agreement number and change sub-grant performance period.</i> <i>No other changes apply.</i>					
12. Recipient is required to sign and return the original of this document, as well as the signed and accepted grant requirements, assurances and agreements to the Issuing Address in block 6, within 30 days from the date in block 17.					
13. Signature of Jurisdiction Grant Specialist/Program Manager  Printed Name: Richard Primrose				Date: 12/22/2014 Phone: 575-461-2112 Fax: 575-461-6208 Email: richard.primrose@quaycounty-nm.gov	
14. Signature of Jurisdiction Chief Financial Officer  Printed Name: Nadine Angel				Date: 12/22/2014 Phone: 575-461-0470 Fax: 575-461-6208 Email: nadine.angel@quaycounty-nm.gov	
15. Signature of Jurisdiction Signatory Official  Printed Name and Title: Brad Bryant, Commission Chair				Date: 12/22/2014 Phone: 575-461-2112 Fax: 575-461-6208 Email: brad.bryant@quaycounty-nm.gov	
16. DHSEM Signatory Official (Name and Title)				Date:	



**NEW MEXICO DEPARTMENT OF HOMELAND SECURITY
& EMERGENCY MANAGEMENT**

Sub-Grant Agreement

2014 Emergency Management Performance Grant Program

2014 Federal Grant No. EMW-2014-EP-00039-S01 CFDA No. 97.042

1. Sub-Grant No. EMW-2014-EP-00039-S01- Quay County	2. Recipient Quay County	3. FIDUCIARY Quay County	4. DFA VENDOR NUMBER/DUNS NUMBER 54395
5. Recipient Address Quay County 300 S. Third Street PO Box 1246 Tucumcari, NM 88401		6. Issuing Office and Address NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND HOMELAND SECURITY AND EMERGENCY MANAGEMENT PO BOX 27111 SANTA FE, NM 87502	
7. Effective Date of This Action July 1, 2014	8. DHSEM Grant Specialist: Arianna Burger	Phone: 505-476-9614 Fax: 505-476-9695 Email: arianna.burger@state.nm.us	
9. Termination Date June 30, 2015			
10. Funding: Total Federal Awarded Amount: \$25,629.00			
11. Grant Requirements, Assurances and Agreements: (see Grant Requirements, Assurances and Agreements) <i>The acceptance of a grant from the United States creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant through the State.</i>			
12. Special Conditions: Grant funds cannot be expended until these conditions have been met.			

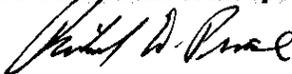
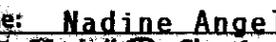
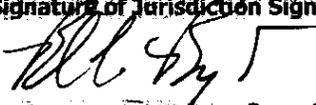
**Approved for 1 position – Emergency Manager
1 Year Award**

1. Award Amount is a funding allocation, and is not to be construed as expenditure authorizations or approvals. Grant program guidelines and Federal, State, and local contracting and procurement compliance requirements apply.
2. All contracts to include the project scope of work, must be reviewed and approved by DHSEM Administrative Services Bureau before execution to include signing of contract between parties.
3. Quarterly financial and programmatic performance reports must be current and submitted to NM DHSEM to process requests for reimbursement. All expenses related to time, on both the quarterly financial report and the request for reimbursement must correlate to the specific performance period of the sub-grant agreement.
4. The EMPG sub-grantee must show progression of the Implementation Plan for New EMPG Programs on a quarterly basis. If no progression is shown, the performance report should reflect the findings and recommend, through the chain of command, the seizure of grant funding until a corrective action plan is in place to comply with the performance requirement. The corrective action plan must be in place within 5 days of the finding to continue grant funding. If no progress has been made after 30 days of the corrective action plan, the terms of this sub-grant will be terminated.
5. All EMPG sub-grantees are required to develop and maintain an Emergency Management Work plan (EMWP), which includes; Planning, Training, and Exercise Goals, a Multi-Year Training and Exercise Plan (MYTEP), Training Needs Assessment, Shelter Assessment, NIMS Assessment. The EMWP is a viable document and may be revised and updated as needed with the approval of the Local Preparedness Program. The EMWP will reflect the performance objectives of the Implementation Plan for New EMPG Programs.
6. All EMPG-funded personnel shall complete the following training requirements and provide proof of completion and/or progress on a quarterly basis, National Incident Management System (NIMS) Training: IS 100; IS 200, IS 700, IS 800, IS 701, IS 702, IS 703, IS 706; FEMA Professional Development Series (PDS): IS 120.a; IS 230.c; IS 235.b; IS 240.a; IS 241.a; IS 242.a; and IS 244.b; or the most current version from the FEMA Emergency Management Institute (EMI).
7. The EMPG sub-grantee must work toward achieving 85% NIMS compliance; undergo a yearly NIMS assessment site visit and complete their jurisdictions NIMS assessment on or before September 30, 2015.

Special Conditions (continued)

- 8. One Table Top Exercise (TTX) is required for all EMPG funded personnel within the 12 month performance period of this award; progress will be measured on each quarterly report. Documents must be sent to the DHSEM Exercise Officer to include the After-Action Report/Improvement Plan (AAR/IP), 60 days following the end of the exercise.
- 9. Each EMPG funded tribal and/or local jurisdiction staff member must participate in 1 exercise per calendar year. The exercise must test the jurisdictions capabilities. The exercise role must be as a controller, evaluator, facilitator, player, or planning team member. Exercises should be conducted to test a jurisdiction's equipment, plans and procedures.
- 10. A tribal Emergency Operations Plan (EOP) must be developed, reviewed and approved against the DHSEM crosswalk within the first year of the sub-grant award.
- 11. A tribal Threat and Hazard Identification Risk Assessment (THIRA) must be developed and submitted to DHSEM by May 30, 2015.
- 12. At the end of the performance grant year, the Local Preparedness Program will conduct a performance evaluation for the new funded position (*Emergency Manager*) to determine if DHSEM will continue to fund the position.

13. Recipient is required to sign and return the original of this document, as well as the signed and accepted grant requirements, assurances and agreements to the Issuing Address in block 6, within 30 days from the date in block 17.

14. Signature of Jurisdiction Grant Specialist/Program Manager  Printed Name: Richard Primrose	Date: 12/22/2014 Phone: 575-461-2112 Fax: 575-461-6208 Email: richard.primrose@quaycounty-nm.gov
15. Signature of Jurisdiction Chief Financial Officer  Printed Name: Nadine Angel	Date: 12/22/2014 Phone: 575-461-0470 Fax: 575-461-6208 Email: nadine.angel@quaycounty-nm.gov
16. Signature of Jurisdiction Signatory Official  Printed Name and Title: Brad Bryant, Commission Chair	Date: 12/22/2014 Phone: 575-461-2112 Fax: 575-461-6208 Email: brad.bryant@quaycounty-nm.gov
17. DHSEM Signatory Official (Name and Title)	Date:

Grant Terms and Conditions

Quay County has been awarded \$25,629.00 which shall be used to support activities essential to the ability of states, territories, and urban areas to prepare for, prevent, and respond to terrorist attacks and other all-hazards events.. The matching amount required for this grant is \$25,629.00.

The scope of work is as follows: Funds shall only be applied to salary and benefit costs for the designated and approved staff in the EMPG application. All work completed must follow the approved EMPG work plan.

The performance period of this grant award is July 1, 2014 through June 30, 2015. Quay County cannot sub-grant any part of this award to any other entity or organization. All awards require confirmation within the first reporting quarter that expenditures in the budget category toward projects will be made, or DHSEM will execute de-obligation of the funds.

(A) **Changes to Award:** All change requests must be submitted in writing, or electronically to the DHSEM Grant Specialist, accompanied by a justification narrative and budget/spending plan, for review and approval. Changes must be consistent with the scope of the project and grant guidelines. Requests for changes will be considered only if the reporting requirements are current, and if terms and conditions have been met at the time the request. Changes in the programmatic activities, or purpose of the project, changes in key personnel specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions will result in an amendment to this award.

(B) **NEPA/EHP Compliance;** The recipient must provide information to DHSEM to assist with the legally-required environmental planning and historic preservation (EHP) review and to ensure compliance with the applicable EHP laws and Executive Orders (EO). These EHP requirements include but are not limited to National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, E 11988 Floodplain Management, EO 11990 Protection of Wetlands, and EO 12898 Environmental Justice. The recipient must comply with all Federal, State and Local EHP requirements and obtain applicable permits and clearances.

Recipients shall not undertake any activity from the project that would result in ground disturbance, facility modification, or relates to the use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, and modifications to buildings that are 50 years old or older. Recipient must comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. Any change to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Initiation of these activities prior to completion of FEMA's EHP review will result in a non-compliance finding and may result in ineligibility of grant funding.

(C) Reporting Requirements: Quay County shall submit timely quarterly *Financial Progress Reports* to the Grant Specialist at DHSEM. For grant awards, the sub-recipient is required to submit a quarterly Performance Report to the Program Specialist within the Preparedness Bureau. Blank forms are located electronically at www.nmdhsem.org, and may be reproduced. Jurisdictions must check the web site quarterly for most current forms. **Use of outdated forms will not be accepted.** Quarterly reports are due: January 30, April 30, July 30, and October 30 for each calendar year the grant is open. The final report is due the following quarter after all funds have been reimbursed to the jurisdiction. *Financial Progress Reports* shall describe the status of the funds, show encumbrances, and receipts of program income, cash or in-kind contributions to the project, whether or not a local match is required. The *Final Narrative Report* is a summary report, evaluating project activities and measuring performance against project goals and objectives for the entire performance period, and is required *in addition* to the last quarterly report.

(D) Additional Reporting Requirements: The applicant must immediately report in writing to the DHSEM Grant Specialist any alleged acts or allegations of fraud or misappropriation of funds for work authorized under this Sub-Grant Agreement. This extends to reporting any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

(E) Reimbursements: Submission of a request for reimbursement must be accompanied by a financial report form. Reimbursement shall be based upon authorized and allowable expenditures consistent with project narrative and grant guidelines, and submission of timely *Financial Progress Reports*. Payments may be withheld pending correction of deficiencies. Reimbursement of expenditures may be requested at any time within the performance period. Expenditures must be supported with source documentation (e.g. copies of invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, etc.). Grant staff will not process reimbursement, until performance/fiscal quarterly reports are submitted.

- **Personnel Costs:** **FOR EMPG GRANTS ONLY – All time reported must correlate with the specific term of the sub-grant agreement. Payroll reports signed and certified by the chief financial officer that capture the employee name, position, coded allocation to the project, amount paid, are acceptable. Staff may not self-certify their own time and wages. The sub-recipient shall retain all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants as per the recordkeeping requirements.**
- **Contracts:** All sole-source procurements, single vendor response to a competitive bid, and contracts over \$100,000 require DHSEM pre-approval prior to implementation. Requests for reimbursement for contractual services must be accompanied by the relevant contract.
- **Local Match:** Local matching funds must clearly support the source, the amount, and the timing of all matching contributions.
- **Equipment:** Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at www.rkb.migt.org. Documentation required per instructions attached to DHSEM quarterly reports.
- **Travel:** All reimbursable travel must be pre-approved by DHSEM 30 days prior to travel date.
- **Per Diem:** Reimbursements for local jurisdictions cannot exceed the rates of the New Mexico Mileage and Per Diem Act.
- **Training:** Requires DHSEM pre-approval 30 days prior to registering or participating in training opportunities.
- **Exercise:** Requires submission of an After-Action Report/Improvement Plan within 30 days after conduct of the exercise.
- **Food and Beverages:** Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:
 - (1) The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
 - (2) Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - (a) The cost of the food and/or beverages provided is considered to be reasonable;
 - (b) The food and/or beverages provided are subject of a work-related event and work continues after meals are served;
 - (c) Participation by all participants is mandatory; and
 - (d) The food and/or beverages provided are not related directly to amusement and/or social event. **(Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).**

(F) Non-reimbursable Expenses:

- Transfer of funds between any programs (SHSP, LETPP, CCP, MMRS)
- Contracts, single vendor response to a competitive bid, and procurements > \$100,000 not pre-approved by DHSEM
- Sole source contracts and procurements not pre-approved by DHSEM
- Training and related travel costs not pre-approved by DHSEM
- Construction and renovation
- Indirect costs (p. 5, Financial Progress Report)
- Supplanting (using federal funds to purchase items previously budgeted for with state or local funds)
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Hiring of sworn public safety officers to fill traditional public safety duties or to supplant traditional public safety positions and responsibilities
- Weapons and ammunition
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls
- Travel insurance, visa, and passport charges
- Lodging costs in excess of State per diem, as appropriate
- Lunch when travel is wholly within a single day
- Stand-alone working meals
- Bar charges, alcoholic beverages

- Finance, late fees, or interest charges
- Lobbying, political contributions, legislative liaison activities
- Organized fund-raising, including salaries of persons while engaged in these activities
- Land acquisition
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.

(G) Property and Equipment Management: The sub-recipient shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A *Property Inventory Report* is available at www.nmdhsem.org and shall be submitted to DHSEM annually each **January 30** with the *Financial Progress Report* during the performance period, and continued submission is required annually until final disposition of the equipment. The sub-recipient shall, when practical, prominently display the following on any equipment purchased with award funds: ***Purchased with funds provided by the U.S. Department of Homeland Security.*** No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from DHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment.

(H) Procurement: Procurement shall comply with local procurement policies and procedures, and conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections of *28 CFR Parts 66 and 70, and 2 CFR Part 215 "Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments."* Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition. **Each sole-source procurement, single vendor response to a competitive bid, and all purchases require prior approval of DHSEM.**

(I) Contracts: Any contract entered into during this grant period shall comply with local, State and Federal government contracting regulations. Contracts for professional and consultant services must include local, State and Federal government required contract language, a project budget, and require pre-approval by DHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the market place. Detailed invoices and time and effort reports are required for consultants.

(J) Publications: Publications created with funding under this grant shall prominently contain the following statement: ***This Document was prepared under a sub-grant from the U.S. Department of Homeland Security, and the New Mexico Department of Homeland Security and Emergency Management. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security or the State of New Mexico.***

(K) Audit Requirements: As the Federal grant recipient, the State of New Mexico requires a sub-recipient **expending \$500,000 or more** in Federal funds in the organization's fiscal year to conduct an organization-wide audit in accordance with *OMB Circular A-133*. Quay County will permit the State of New Mexico Grant and Program officials and auditors to have access to the sub-recipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with *OMB Circular A-133*. Copies of audit findings must be submitted to DHSEM within 30 days after Quay County receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier, in accordance with *2 AAC 45.010*. Include the Federal agency name, program, grant number, and year; the CFDA title and number; and the name of the pass-through agency.

(L) Recordkeeping Requirements: Grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement or transfer of the property and equipment.

(M) Performance Measures: Quarterly *Progress Reports* shall demonstrate performance and progress relative to: Acceptable performance on applicable critical tasks in Exercises using approved scenarios

1. Progress in achieving project timelines and milestones
2. Percent measurable progress toward completion of project
3. How funds have been expended during reporting period, and explains expenditures related to the project

(N) Sub-recipient Monitoring Policy: Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets and other related program criteria are being met. DHSEM reserves the right to periodically monitor, review and conduct analysis of the financial, programmatic and administrative policies and procedures such as, accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc. This may include desk and field audits. Technical assistance is available from DHSEM staff.

(O) Penalty for Non-Compliance: For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHSEM shall notify the sub-recipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The sub-recipient must respond within 5 days of receipt of notification.

- a. Unwillingness or inability to attain project goals
- b. Unwillingness or inability to adhere to Special Conditions listed in Block 12
- c. Failure or inability to adhere to grant guidelines and federal compliance requirements
- d. Improper procedures regarding contracts and procurements
- e. Inability to submit reliable and/or timely reports

- f. Management systems which do not meet federal required management standards

(P) Termination for Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHSEM will provide 5 days notice to the sub-recipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHSEM will reimburse the sub-recipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion of DHSEM until completion of a final DHSEM review. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

(Q) Termination for Convenience: Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. The U.S. Department of Homeland Security (USDHS) and the DHSEM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

(R) Project Implementation: Due to the competitiveness of the Homeland Security grant program, approved projects shall be ready-to-go. Project implementation shall begin within the first reporting quarter.

- a. If a project cannot be operational within the first reporting quarter of the approved award date, the sub-grantee must submit a written statement signed by the signatory officials to DHSEM, justifying the implementation delay, expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the discretion of DHSEM, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

Grant Requirements, Assurances and Agreements (continued from Section 11 of the Award)

(A) The performance period for this grant award is July 1, 2014 through June 30, 2015. Monies may not be obligated outside of this time period. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. All obligated and encumbered funds must be liquidated within 45 days of the end of the performance period when the Final Progress Reports are due.

(B) The sub-recipient shall comply with the requirements and restrictions of the 2014 State Emergency Management Performance Grant Guidance and State Guidelines. By signing this obligating award document, the sub-recipient certifies it has read, understood and accepted these documents as binding.

(C) The signature of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The sub-recipient shall follow the financial management requirements imposed on them by DHSEM, which includes the requirements of U.S. Department of Homeland Security.

(D) The signature of the signatory officials on this award attests to Quay County understanding, acceptance, and compliance with Lobbying; Debarment, Suspension and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant State or local funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.

(E) Quay County shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state or local agencies, and each award is accounted for separately.

(F) Quay County shall comply with Federal Civil Rights Laws and Regulations: *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Americans with Disabilities Act of 1991.* Quay County will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.

(G) Quay County certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (for USDHS/DOJ grants). An EEO is not required for recipients of less than \$25,000.00 or fewer than 50 employees.

(H) Quay County certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

- (I)** It is the responsibility of Quay County as the recipient of these federal funds to fully understand and comply with the requirements of:
- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
 - OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

The above requirements are found at: www.whitehouse.gov/omb/circulars/index.html

- h. OGO Financial Guide www.dhs.gov/dhspublic/interweb/assetlibrary/Grants_FinancialManagementGuide.pdf
- i. New Mexico State Procurement Code <http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>
- j. New Mexico Administrative Code Title 2 – Public Finance <http://www.nmcpr.state.nm.us/NMAC/title02/title02.htm>

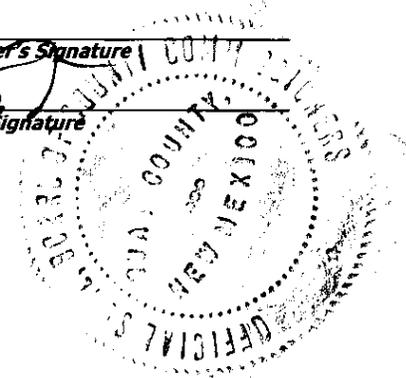
We certify we have read, understood, and accept the Grant Terms and Conditions, the Grant Requirements, and Assurances and Agreements, in accordance with this Award.



Grant Specialist's/Program Manager's Signature

Chief Financial Officer's Signature


Signatory Official's Signature



Please Note: DHSEM reserves the right to update this check list throughout the life of the grant to ensure compliance with applicable federal and state rules and regulations.

Please only check the categories that apply to the reimbursement you are currently filing.

Equipment

- 1. Have all invoices been included?
- 2. Has an AEL # been identified for each purchase?
- 3. If service/warranty expenses are listed, are they only for the performance period of the grant?
- 4. Has proof of payment been included? (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement)
- 5. If EHP form needed – has copy of it and approval from DHS been included?

Planning

Consultants/Contractors

- 1. Does the amount billed by consultant add up correctly?
- 2. Has all appropriate documentation to denote hours worked been properly signed?
- 3. Have copies of all planning materials and work product (e.g. meeting documents, copies of plans) been included? (If a meeting was held by recipient or contractor/consultant of recipient, an agenda and sign-up sheet with meeting date must be included).
- 4. Has the invoice from consultant/contractor been included?
- 5. Has proof of payment been included? (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

Salary Positions (Note: this applies to positions billed under M&A)

- 1. Have the following been provided: signed time sheet by employee and supervisor and proof that employee was paid for time worked (statement of earnings, copy of payroll check or payroll register)?
- 2. Has a time period summary sheet been included for total claimed amount?
- 3. Has a general ledger payroll report been included for total claimed amount? Ensure this report includes both employee and employer payroll information (i.e. benefits/contributions).
- 4. Does the back-up documentation include a copy of the check stub per employee for the time period covered?
- 5. Does the back-up documentation provided match the time period for which reimbursement is being requested?

Training

- 1. Is the course DHS approved? Is there a course or catalog number? If not, has DHSEM approved the non-DHS training? Is supporting documentation included your reimbursement request?
- 2. Have sign-in sheets, rosters and agenda been provided?
- 3. If billing for overtime and/or backfill, has a spreadsheet been provided that lists attendee names, department, # of hours spent at training, hourly rate and total amount paid to each attendee? Have print outs from entity's financial system been provided as proof attendees were paid? For backfill, has a clear delineation/cross reference been provided showing who was backfilling who?
- 4. Have the names on the sign-in sheets been cross-referenced with the names of the individuals for whom training reimbursement costs are being sought?
- 5. Has any expenditures occurred in support of the training (e.g., printing costs, costs related to administering the training, planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment)? If so, receipts and proof of payment must be submitted. (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

Exercise

- 1. Has documentation been provided on the purpose/objectives of the exercise? Such as, SITMAN/EXPLAN.
- 2. If exercise has been conducted - has after-action report/improvement plan been included? Have sign-in sheets, agenda, rosters been provided?
- 3. If billing for overtime and backfill, has a spreadsheet been provided that lists attendee names, department, # of hours spent at exercise, hourly rate and total paid to each attendee? Have print outs from entity's financial system been provided to prove attendees were paid? For backfill, has a clear delineation/cross reference been provided showing who was backfilling who?
- 4. Have the names on the sign-in sheets been cross-referenced with the names of the individuals for whom exercise reimbursement costs are being sought?
- 5. Has any expenditures occurred on supplies (e.g., copying paper, gloves, tape, etc.) in support of the exercise? If so, receipts and proof of payment must be submitted. (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation to include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).
- 6. Has any expenditures occurred on rental of space/locations for exercises planning and conduct, exercise signs, badges, etc.? If so, receipts and proof of payment must be submitted. (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation to include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

Travel/Conferences

- 1. Have all receipts been turned in such as: airplane receipts, proof of mileage, toll receipts, hotel receipts, car rental receipts, registration fee receipts and parking receipts? Are these receipts itemized? Do the dates of the receipts match the date(s) of travel/conference?
Does the hotel receipt have a zero balance? If applicable, have a travel authorization and travel reimbursement form been included to account for per diem, mileage and other travel expenses which have been reimbursed to the traveler by sub grantee?
- 2. If travel is a conference has the conference agenda been included?
- 3. Has proof of payment to traveler been included? (E.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or copy of payroll check if reimbursed through payroll).

Matching Funds

- 1. Contributions are from Non Federal funding sources.
- 2. Contributions are from cash or in-kind contributions which may include training investments.
- 3. Contributions are not from salary, overtime or other operational costs unrelated to training.

QUAY COUNTY – HARDING COUNTY
ADOPTION OF COUNTY ROAD
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding by and between Quay County and Harding County, both political subdivisions of the State of New Mexico is entered into for the purpose of transferring maintenance and operation of a certain county road existing in Quay County to Harding County as follows:

WHEREAS, as a result of a verbal understanding between Quay County and Harding County approved in 2014, Harding County will maintain a Public Road located within Quay County. It is: County Road Quay Road AF from Block 7620 – 7800, also known as Strebeck Lane 2.0 miles.

WHEREAS, said County Road was declared a part of Harding County's Adopted Road System as mutually approved by Quay County and Harding County;

and

WHEREAS, Harding County has included these miles in its Road log for the year 2015 and submitted this road as "Harding County Road" through the New Mexico Department of Transportation Road System for Counties, and

WHEREAS, Harding County is requesting Quay County enter into a formal agreement with Harding County wherein ownership of these roads will be officially documented as a "Harding County owner and maintained road" as originally approved verbally by both Quay County and Harding County in 2014 and

WHEREAS, with the approval of this agreement, Harding County agrees to continue to maintain this road under its Road System.

IT IS NOW THEREFORE, AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. The Board of Commissioners of Quay County by approving this Memorandum of Understanding, does hereby authorize Harding County to continue to maintain all roads previously listed, as adopted by Harding County in their County Road log until such time as this Memorandum of Understanding is amended and/or terminated; and
2. The Board of Commissioners of Harding County by approving this Memorandum of Understanding does hereby agree to maintain these county roads listed as Harding County

Roads and not hold Quay County responsible for any liability or other issues that may arise as a result of adoption of this County Road.

PASSED, ADOPTED, AND APPROVED, by the Board of Commissioners of Quay County this 22 day of Dec, 2014.

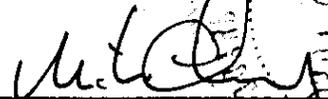
QUAY COUNTY BOARD OF COMMISSIONERS;



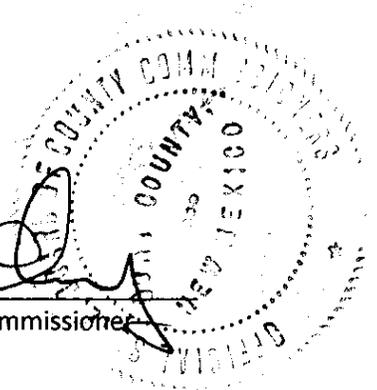
Brad Bryant, Chairman



Sue Dowell, Commissioner



Mike Cherry, Commissioner



Approved As Written:



Quay County Clerk

12/22/14
Date

PASSED, ADOPTED, AND APPROVED by the Board of Commissioners of Harding County this

_____ day of _____ 2014.

HARGING COUNTY BOARD OF COMMISSIONERS

Rebecca K. Smith Chairman

Nick Archuleta, Vice Chairman

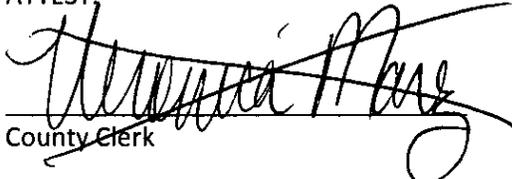
Harold R. Mackey, Member

WITNESS:

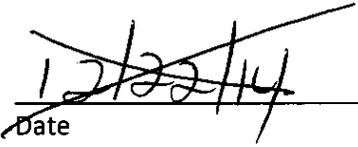
Administrative Assistant

Date

ATTEST:



County Clerk



Date

QUAY COUNTY – HARDING COUNTY
ADOPTION OF COUNTY ROAD
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding by and between Quay County and Harding County, both political subdivisions of the State of New Mexico is entered into for the purpose of transferring maintenance and operation of a certain county road existing in Harding County to Quay County as follows:

WHEREAS, as a result of a verbal understanding between Quay County and Harding County approved in 2014, Quay County will maintain a Public Road located within Harding County. It is: County Road Nara Visa for 1.8 miles west of Quay County line on Quay Road 93.

WHEREAS, said County Road was declared a part of Quay County's Adopted Road System as mutually approved by Quay County and Harding County;
and

WHEREAS, Quay County has included these miles in its Road log for the year 2015 and submitted this road as "Quay County Road" through the New Mexico Department of Transportation Road System for Counties, and

WHEREAS, Quay County is requesting Harding County enter into a formal agreement with Quay County wherein ownership of these roads will be officially documented as a "Quay County owner and maintained road" as originally approved verbally by both Quay County and Harding County in 2014 and

WHEREAS, with the approval of this agreement, Quay County agrees to continue to maintain this road under its Road System.

IT IS NOW THEREFORE, AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. The Board of Commissioners of Harding County by approving this Memorandum of Understanding, does hereby authorize Quay County to continue to maintain all roads previously listed, as adopted by Quay County in their County Road log until such time as this Memorandum of Understanding is amended and/or terminated; and
2. The Board of Commissioners of Quay County by approving this Memorandum of Understanding does hereby agree to maintain these county roads listed as Quay County Roads and not hold Harding County responsible for any liability or other issues that may arise as a result of adoption of this County Road.

PASSED, ADOPTED, AND APPROVED, by the Board of Commissioners of Quay County this
22 day of Dec., 2014.

QUAY COUNTY BOARD OF COMMISSIONERS;



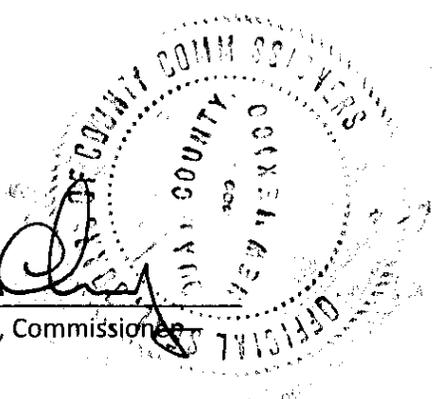
Brad Bryant Chairman



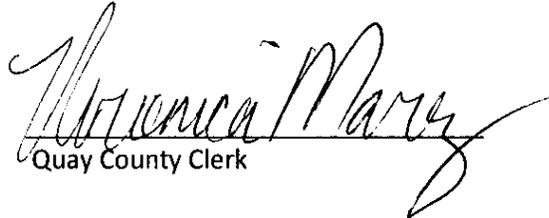
Sue Dowell, Commissioner



Mike Cherry, Commissioner



Approved As Written:



Quay County Clerk

12/22/14
Date

PASSED, ADOPTED, AND APPROVED by the Board of Commissioners of Harding County this

_____ day of _____ 2014.

HARGING COUNTY BOARD OF COMMISSIONERS

Rebecca K. Smith Chairman

Nick Archuleta, Vice Chairman

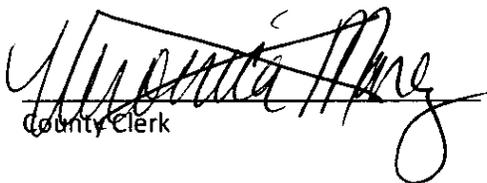
Harold R. Mackey, Member

WITNESS:

Administrative Assistant

Date

ATTEST:



County Clerk



Date

**COUNTY OF QUAY
FISCAL YEAR 2014-2015
Resolution #23**

*A Resolution for Determination of Reasonable
Notice of Meeting of County Boards
And Date and Time of Regular Meetings*

WHEREAS, Sections 10-15-1 to 10-15-4 of the Open Meetings Act, NMSA 1978 require that all meetings of quorum of members of any county board held for the purpose of formulating public policy, discussing public business, or taking action within the authority of the board are to be open to the public; and

WHEREAS, the Open Meetings Act further requires reasonable notice to the public for said meetings; and

WHEREAS, said Act also provides that the board shall determine at least annually what notice shall be reasonable for the public meetings; and

WHEREAS, the Board of Commissioners for Quay County, New Mexico wishes to fully comply with the provisions of the Open Meetings Act.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Quay County that the following is hereby determined to be reasonable notice for any meeting of the Board for the calendar year 2015 and that notice of the determination and the Regular Meeting dates shall be published once a week for two consecutive weeks in the legal section of a newspaper of general circulation with the County of Quay.

Section 1 – NOTICE REQUIREMENTS

- A. Notice requirements for REGULAR MEETINGS are met:
1. When the above referenced legal notice has been published and a notice of date, time, place and agenda has been posted in a conspicuous place at the Quay County Courthouse, and is available to the public and media at least seventy-two (72) hours prior to the meeting; or
 2. By public announcement of the time and place of such meeting made at the previous regular meeting.
- B. SPECIAL MEETINGS – the chairperson or a majority of the members of the County Commission may call for a Special Meeting to be held on dates other than the Regular Meeting dates. Notice requirements for Special Meetings are met:
1. By posting a notice and agenda for the Special Meeting on the main bulletin board of the Quay County Courthouse at least twenty-four (24) hours prior to the commencement of the Special Meeting; or
 2. By announcement of the Special Meeting during a Regular or Special Meeting held at least twenty-four (24) hours before the commencement of such Special Meeting; and
 3. By providing a written notice of the agenda for the Special Meeting to all local media representatives that have filed a request for notice of public meetings.

C. EMERGENCY MEETINGS – may be scheduled by the chairperson or a majority of the Commission members to deal with unforeseen circumstances, which demand immediate action to protect the health, safety, or property of citizens or the public from substantial financial loss. Notice requirements for an Emergency Meeting are met:

1. Upon the issuance and posting of an agenda in a conspicuous place in the Courthouse three (3) hours prior to the Emergency Meeting unless threat of personal injury or property damage compel less notice. The County Manager will provide telephone/facsimile notice to the news media of emergency meetings as timely as possible given the nature of the emergency.

Section 2 – REGULAR MEETING DATES AND TIME

Unless otherwise specified, regular meetings shall be held at 9:00 a.m. on the second and fourth Monday of each month in the County Commission Chambers of the Quay County Courthouse. The agenda will be available at least seventy-two (72) hours prior to any regular meetings in the offices of the County Manager and County Clerk located in the County Courthouse, 300 South Third Street in Tucumcari, New Mexico.

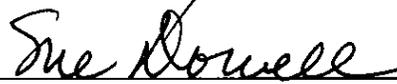
IT IS ALSO RESOLVED, that substantial conformance with any one of the foregoing methods of giving notice shall constitute compliance with this resolution, and that nothing herein shall prevent the use of additional means or methods of giving notice or Regular, Special, or Emergency Meetings and other such notice for any public meeting for which notice has been given and which is recessed. However, in recessing the meeting, the presiding officer shall announce the time and place the meeting shall resume.

PASSED, APPROVED AND ADOPTED, this 22nd day of December, 2014.

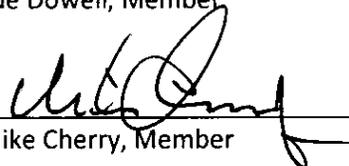
QUAY COUNTY BOARD OF COMMISSIONERS



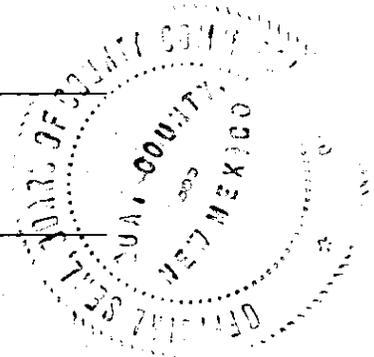
Brad Bryant, Chairman



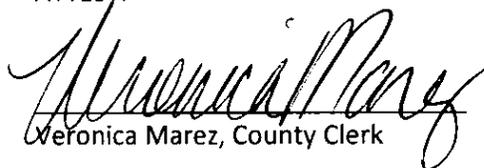
Sue Dowell, Member



Mike Cherry, Member



ATTEST:



Veronica Marez, County Clerk



QUAY COUNTY GOVERNMENT

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

Fax: (575) 461-6208

NOTICE OF PUBLIC MEETINGS

The Board of County Commissioners of Quay County at its December 22nd scheduled meeting adopted 2014-2015 Resolution #23 to establish the following policy regarding public meetings.

1. By 2014-2015 Resolution Number 23 to adopt the New Mexico Open Public Meeting Policy requirements.

Regular monthly meetings will be conducted on the Second and Fourth Monday of each month beginning at 9:00 a.m. unless noted below with an asterisk (*), in the Commission Chambers, First Floor, Quay County Courthouse, 300 South Third Street, Tucumcari, New Mexico.

2015 Commission Meeting Dates

January 12	April 13	July 13	October 12
January 26	April 27	July 27	October 26
February 9	May 11	August 10	November 9
February 23	*May 26	August 24	November 23
March 9	June 8	September 14	December 14
March 23	*June 29	September 28	December 28

*May 26th meeting is on Tuesday following the Memorial Day Holiday.

*June 29th is the Fifth Monday as to not interfere with the NM Association of Counties' Annual Conference

The Quay County Indigent Hospital Claims board will be held in conjunction with the Commission scheduled on the Second Regular Meeting of each month.

2. Established by 2014-2015 Resolution #23 that the following is determined to be reasonable notice for any public meeting for the Board of County Commissioners or of any policymaking agency or authority of the Board for the calendar year 2015.

- For **REGULAR MEETINGS AND WORK SESSIONS**-issuance and posting of an agenda three calendar days (72 hours) before the meeting. The agenda will be made available to the public and news media, and posted on the main Courthouse Bulletin Board.
- For **SPECIAL MEETINGS**-issuance and posting of an agenda one calendar day (24 hours) before the meeting. The agenda will be made available to the public and news media, and posted on the main Courthouse Bulletin Board.
- For **EMERGENCY MEETINGS**-issuance and posting an agenda three (3) hours before the meeting. The agenda will be posted on the main Courthouse Bulletin Board and as many of the news media notified as possible given the nature of the emergency.

The agenda for each Commission Meeting will be available in the County Manager's Office and in the County Clerk's Office in conformance with this schedule.

Richard D. Primrose, Quay County Manager



QUAY COUNTY GOVERNMENT

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

Fax: (575) 461-6208

2015 HOLIDAY SCHEDULE

<u>Date of Holiday</u>	<u>Holiday</u>	<u>Date Observed</u>
01/01/2015	New Years Day	Thursday, January 1, 2015
01/19/2015	Martin Luther King Day	Monday, January 19, 2015
02/16/2015	President's Day	To be taken at Thanksgiving
04/03/2015	Good Friday	1/2 Day Friday, April 3, 2015
05/25/2015	Memorial Day	Monday, May 25, 2015
07/04/2015	Independence Day	Friday, July 3, 2015
09/07/2015	Labor Day	Monday, September 7, 2015
10/12/2015	Columbus Day	To be taken at Christmas
11/11/2015	Veterans Day	Wednesday, November 11, 2015
11/26/2015	Thanksgiving Day	Thursday, November 26, 2015 Friday, November 27, 2015
12/25/2015	Christmas Day	Thursday, December 24, 2015 Friday, December 25, 2015
	Personal Holiday	TBD