

QUAY COUNTY GOVERNMENT

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

Fax: (575) 461-6208

AGENDA REGULAR SESSION QUAY COUNTY BOARD OF COMMISSIONERS April 13, 2015

9:00 A.M. Call Meeting to Order

Pledge of Allegiance

Approval of Minutes-Regular Session March 23, 2015

Approval/Amendment of Agenda

Public Comment

Ongoing Business-None

New Business

- I. **Bryan Rinestine, Quay County DWI Coordinator**
 - Request Approval of DWI Planning Council Application for Membership
 - Quarterly Statistics Report

- II. **Pat Vanderpool, Greater Tucumcari Economic Development Director**
 - Quarterly Report

- III. **Donald Adams, Quay County Fire Marshal**
 - Request Approval of 2015-2016 Fire Protection Funding Application

- IV. **Ron Jones, USDA/NM Wildlife Services**
 - Request Approval of 2015-2016 Funding Request

- V. **Chris Tokarski, Mental Health Resources**
 - Discussion of 2015 Changes to Services and Funding



DOC #CM-00362

05/12/2015 03:25 PM Doc Type: COCOM

Fee: (No FieldTag Finance Total Fees found)

Quay County, NM Veronica Marez, County Clerk

Pages: 71



VI. Larry Moore, Quay County Road Superintendent

- Road Update

VII. Richard Primrose, Quay County Manager

- Request Approval of FY15 Audit Contract with Kubiak & Melton LLC
- Request Approval of 2014-2015 Resolution No. 33 for Budget Increase to Planning Grant Fund
- Request Approval of 2014-2015 Resolution No. 34 for Budget Increase to Nara Visa Fire Fund
- Request Approval of Joint Powers Agreement Governing the Tucumcari/Quay Regional Emergency Communications Center
- Correspondence

VIII. Request Approval of Accounts Payable

IX. Request for Closed Executive Session

- Pursuant to Section 10-15-1(H) 7. The New Mexico Open Meetings Act to Discuss Threatened or Pending Litigation
- Pursuant to Section 10-15-1(H) 2. The New Mexico Open Meetings Act to Discuss Limited Personnel Matters

X. Proposed Action to be taken from Executive Session Discussion

- Action on Proposed Agreement with Acting Receiver of Ute Lake Ranch, Inc./DVR LLC
- Action as to Lesser Prairie Chicken Litigation
- Action on Treasurer Appointment

XI. 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

April 13, 2015

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 13th of April, 2015, at 9:00 a.m. at the Commission Chamber, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Sue Dowell, Member
Mike Cherry, Member
Richard Primrose, County Manager
Veronica Marez, Quay County Clerk

OTHERS PRESENT:

Larry Moore, Quay County Road Supervisor
Vic Baum, Quay County Assessor
Thomas Garcia, Quay County Sun
Russell Braziel, KTNM Radio Station
Cheryl Simpson, Quay County Manager's Office
Bryan Rinstine, Quay County DWI Coordinator
Pat Vanderpool, Greater Tucumcari Economic Development Director
Donald Adams, Quay County Fire Marshal
Ron Jones, USDA/NM Wildlife Services
Ellen White, Quay County Chief Deputy Clerk
Becky Wallace, Quay County Medical Clinic Administrator

The meeting was called to order by Chairman McCasland. Vic Baum led the Pledge of Allegiance.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the minutes from the March 23, 2015 regular commission meeting. MOTION carried. Copy of said minutes is attached and made a part of these minutes.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

Primrose requested a change in the agenda, deleting item No. 5.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the agenda with changes. MOTION carried. Copy of said agenda is attached and made a part of these minutes.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

PUBLIC COMMENT: None

ONGOING BUSINESS: None

OLD BUSINESS: None

NEW BUSINESS:

Bryan Rinestine, Quay County DWI Coordinator request approval of DWI Planning Council application for Membership of TJ O’Quinn. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the applicant TJ O’Quinn. MOTION carried.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

Rinestine presented the DWI quarterly statistics report. A copy of the report is attached and made a part of these minutes.

Pat Vanderpool, Greater Tucumcari Economic Development Director presented the Greater Tucumcari Economic Development quarterly report. A copy of the report is attached and made a part of these minutes.

Donald Adams, Quay County Fire Marshal requested approval of 2015-2016 Fire Protection Funding applications. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the application. MOTION carried. Copy of said applications are attached and made a part of these minutes.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

Ron Jones, USDA/NM Wildlife Services requested approval of 2015-2016 funding request. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve funding budget for \$34,500 for next year budget. MOTION carried.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

Larry Moore, Quay County Road Superintendent presented the following report.

1. Presented blade report.
2. A farming disc damaged the chip seal on Quay Rd AD. It's been repaired.
3. Approved utility cut on Rock Island.
4. Quay Rd U CAP project 8/10 to finish.
5. Repairing dump trucks.
6. Widening the road on Quay Rd 64.
7. Certified Road Mileage is due April 1.

Chairman McCasland asked for an update on the CAT trucks. Moore informed Commissioners CAT is taking care of the differentials.

Richard Primrose gave the following County Manager's Report:

Requested approval of FY15 Audit Contract with Kubiak & Melton LLC. . A MOTION was made by Sue Dowell, SECONDED Mike Cherry to approve contract. MOTION carried. Copy of said contract is attached and made a part of these minutes.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

Requested approval of 2014-2015 Resolution No. 33 budget increase to planning grant fund. A MOTION was made by Sue Dowell, SECONDED Mike Cherry to approve Resolution. MOTION carried. Copy of said Resolution is attached and made a part of these minutes.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

Requested approval of 2014-2015 Resolution No. 34 budget increase to Nara Visa fire fund. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve Resolution. MOTION carried. Copy of said Resolution is attached and made a part of these minutes.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

Requested Approval of Joint Powers Agreement Governing the Tucumcari/Quay Regional Emergency Communications Center. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve agreement. MOTION carried. Copy of said agreement is attached and made a part of these minutes.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

CORRESPONDENCE:

1. Presented quarterly report of Rural Addressing.
2. Primrose and Commissioners received an invite for Mesalands Community College Coaches breakfast on Saturday April 18, 2015.
3. Quay County received an invite from City of Tucumcari to participate in the Spring 2015 Career Fair. Quay County will be participating.
4. NMAC will be meeting on April 29, 2015 in Santa Rosa to report on the 2015 Legislative Session.
5. Received a letter from Senator Pete Campos informing everyone of what is going on at the Legislature.
6. Presented the monthly RPHCA report.
7. Manufacturer inspection on roof at Detention Center has been completed and all looks good.
8. Started budget with Department Heads.
9. Sent second draft of the 40 year Water Plan with some changes.
10. Curtis Simpson will complete the Facebook page for Emergency Management and County page this week.
11. Primrose sent payroll audit to Commissioners and thanked Cheryl and Julie for a great job.
12. Tourism meeting will be held today at City hall.
13. Regional Water Plan meeting will be held April 20 at 1:30 pm at the Convention Center.
14. Tucumcari Quay County Regional Water Authority meeting will be held 10:00 am tomorrow at City Hall.
15. Next Commission meeting on April 27 will be held in Logan.

CHECKS WERE REVIEWED.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the expenditures as presented. MOTION carried. A copy of the expenditure report is attached and made a part of these minutes.

Commissioners Voted:

McCasland – “YES”

Dowell – “YES”

Cherry – “YES”

Chairman McCasland requested a 10 minute break. Time noted 10:05 a.m.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell, to go into executive session pursuant to the Section 10-15-1(H)7 to Discuss Threatened or Pending Litigation, and Section 10-15-1(H)2; to Discuss Limited Personnel Matters. MOTION carried Dowell voting “aye”, Cherry voting “aye”, McCasland voting “aye”.

Time noted 11:15 am.

-----EXECUTIVE SESSION-----

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell that only pending personnel matters and threatened or pending litigation was discussed during Executive Session. MOTION carried McCasland voting "aye", Cherry voting "aye", Dowell voting "aye".

Return to regular session. Time noted 1:15 pm.

A MOTION was made by Mike Cherry to approve the Tolling Agreement between Cordes & Company and acting Receiver of Ute Lake Ranch, Inc and DVR, LLC and Quay County Commissioners. SECONDED by Sue Dowell to approve Agreement. MOTION carried. Copy of said agreement is attached and made a part of these minutes.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the amount of \$2,000 into the legal fund for the Lesser Prairie Chicken lawsuit. MOTION carried.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

Franklin McCasland, Quay County Chairman informed the public they had 12 applicants that had applied for the Quay County Treasurer position. The five applicants that have been chosen to interview are Christine Moriel, Patsy Gresham, Dianne Morrow, Robin Alden and Perri Jennings. Interviews will be conducted during a special meeting in Executive Session on April 17.

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

Commission Cherry questioned verbatim request of Commission Dowell. Commissioner Dowell she was confused on a topic.

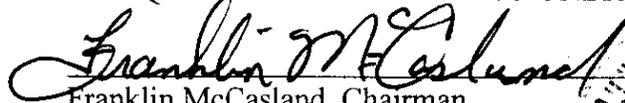
There being no further business, a MOTION was made by Sue Dowell, SECONDED by Mike Cherry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for April 27, 2015 in Logan unless sooner called. The Commissioners announced they would be having lunch at Corner Stone Deli and all those in attendance were invited. MOTION carried.

Commissioners Voted:

McCasland – "YES" Dowell – "YES" Cherry – "YES"

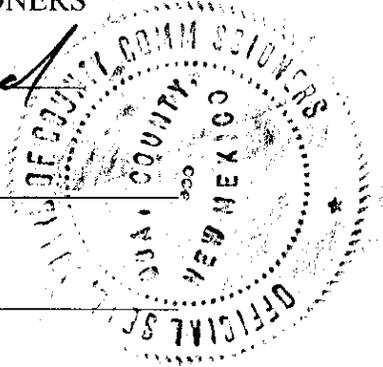
Time noted 1:25 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS

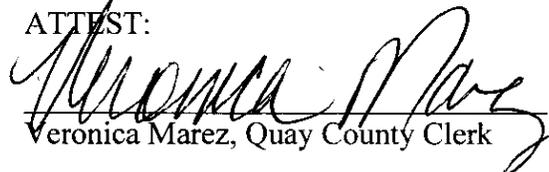

Franklin McCasland, Chairman


Sue Dowell, Member


Mike Cherry, Member



ATTEST:


Veronica Marez, Quay County Clerk

QUAY COUNTY DWI PROGRAM

STATISTICS

3rd Quarter Report

January 2015 thru March 2015

Total Number of Arrests: 14

DWI 1st: 8

DWI 2nd: 4

DWI 3rd: 2

DWI 4th:

DWI 5th or Subsequent:

Aggravated DWIs: 7

Average BAC: 0.14

Minimum: 0.11

Maximum: 0.19

Blood Draws: 4

Refusals: 3

Average Age: 37

Youngest: 18

Oldest: 57

Sex of Offenders

Male: 11

Female: 3

Accidents: 1

Fatalities: 0

Arrests by Agency:

New Mexico State Police: 10

Tucumcari Police Department: 4

Quay County Sheriff's Department:

Logan Police Department:

Ute Lake State Park:

Monthly Arrests

January: 5

February: 6

March: 3

FROM FINAL COURT DATES:

Number of Cases Completed:9

Number of Convictions/Pleas:7

Number of Dismissals:2

Number of Offenders Placed on DWI Compliance: 7

DWI 1st: 6

DWI 2nd: 1

DWI 3rd:

DWI 4th:

DWI 5th of Subsequent:

Number of Offenders who Successfully Completed DWI Compliance: 4

Number of Offenders who Unsuccessfully Completed DWI Compliance: 1

Number of Community Service Hours Ordered: 192

Number of DWI Offenders Being Supervised: 52

Number of Misdemeanor Offenders Being Supervised: 75



Greater Tucumcari Economic Development Corporation

Quarterly Report – April, 2015

Plan of Work

- Attract and Grow New Business
- Retain and Expand Existing Business
- Build a Better Product

We Focus On What we Can Control

- Local Infrastructure
- Local Workforce Programs
- Local Incentives
- Local Permitting
- Targets and Marketing
- Community Facilities
- Public Policy

-
-

What the Customer Wants

- Existing Buildings (c. 40,000 sq.ft.)
- Workforce (c. 300 at startup)
- Cash

- ● ●

Attract and Grow New Business

- - Rugged Industries “Firelight”
 - Mariposa Herbs
 - ALCO building marketing
 - Buena Vista Optical Labs
 - Caprock Solar
 - Energy Related Devices

Retain and Expand Existing Business

- Tucumcari Mountain Cheese Factory (3)
- Tucumcari Animal Hospital
- Tucumcari National Guard Readiness Center
- Odeon Theater (roof)
- Tucumcari Lake
- USDA Contractors

Build a Better Product

- Mesalands Equestrian Facility
- Shell Truck Stop
- Tesla Supercharger Station
- Legislative:
 - Renewable Energy Production Tax Credit
 - Job Training Incentive Program
 - NM Partnership Funding
 - State LEDA Fund

Incentives for New and Existing Business

- Low Cost of Doing Business
- No Inventory Tax
- Job Training Incentive Program
- Transportation Access
- Abundant Water Supply
- High Wage Jobs Tax Credit
- Reduction in Corporate Income Tax Rate – 7.6% to 5.9%
- Single Weight Sales Factor for Corporate Tax
- 2nd Lowest Property Tax Nationally
- 3.3% Effective Tax Rate for Manufacturing (Ernst & Young)
- Exemptions on Industrial Inputs (utilities, construction)
- LEDA Closing Fund

Allocation of Financial Resources

		Budget	Percent of Budget
Income	89110.92	120,050	74.2%
Expense	97750.22	120,050	81.4%
Operations	84493.68		86.4% of expense
Marketing - Outreach	13256.54		13.6% of expense

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



P.O. Box 1269
1120 Paseo de Peralta, Room 413
Santa Fe, NM 87504-1269

STATE FIRE MARSHAL DIVISION
John Standefer, State Fire Marshal

800-244-6702 (In state only)
(505) 476-0174
Fax: (505) 476-0100

FIRE PROTECTION FUND APPLICATION

MAR 16 2015

Date: March 13, 2016
To: New Mexico Municipal and County Officials
From: John Standefer, State Fire Marshal *JCS*
Subject: Fire Fund Distribution Pursuant to Fire Protection Fund Act, 59A-53, NMSA 1978

Please find the enclosed application for participation in the fiscal year 2016 Fire Protection Fund for the fire departments under your jurisdiction. **For initial budget preparation purposes each application indicates the guaranteed base amount to be distributed per Article 53, 59A-53-4 and 59A-53-5.**

The application provides a complete overview of your departments Insurance Service Office (ISO) classification and number of recognized stations funded through this Office. Please review this information with the Fire Chief/Fire Marshal as their signature is required along with the Mayor, Chair of the County Commission, or authorized local government designee.

The application shall be received in this Office on or before April 30, 2016.

This application does not include any additional amounts that may be calculated from growth in the fund as the financial information indicating growth or reduction in the fire fund is not yet available. When the amount available to the Fire Protection Fund, for fiscal year 2016, is known we will forward the information to you. Nor does this application reflect any funding intercepts for loans incurred by local governments through the New Mexico Finance Authority.

Completeness of the Fire Protection Fund Application is required. Please take note of the section of the application in which we are requesting contact information for the fire department's National Fire Incident Reporting System's (NFIRS) primary users. We have made huge strides towards achieving our goal of 100% reporting of all certified fire department emergency response activities to the NFIRS program.

It is critical for this Office to have the most current contact information for these efforts as we provide our states fire service with reporting status updates and any system informational updates as they occur. Accurate email information is required for each primary user of the NFIRS program.

Thank you for your assistance.

NEW MEXICO PUBLIC REGULATION COMMISSION

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CHIEF OF STAFF

S. Vincent Martinez



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1120 Paseo de Peralta
Santa Fe, NM 87504-1269

STATE FIRE MARSHAL DIVISION

Room 413
800-244-6702 (In-state only)
(505) 476-0174
Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY ADMINISTRATIVE FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

NAME OF COUNTY: Quay

ADDRESS OF APPROVED FIRE ADMINISTRATION BUILDING:

PO Box 1246, Tucumcari, NM 88401

ISO FUNDING CLASSIFICATION: 8

If you contend the above ISO Funding Classification is incorrect, please attach your claim and sign here:
X

The projected minimum amount for fire fund distribution, based on the above information, is \$52,418. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$5,000 equipment

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$10,000

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that fire departments in your County are out of compliance, your Office and the Fire Chief will be notified of the department's status, if the fire departments in your County fail to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please insure that all certified Fire Departments in your County have properly provided two primary NFIRS users, along with contact information, as required on each fire departments Fire Protection Fund application.

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

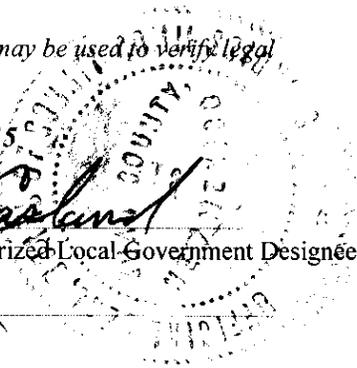
Signed and submitted on this 13th day of April, 2015

Franklin McCasland
Printed Name

Franklin McCasland /S
Signature of Commission Chair or Authorized Local Government Designee

Donald Adams
Printed Name

Donald Adams /S
Signature of Fire Chief



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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Bard-Endee COUNTY: Quay
FIRE DEPARTMENT ADDRESS: 1097 Rt 66, Bard, NM 88411
ISO CLASSIFICATION: 8

Approved number of Sub Stations is 1

Sub-Station 1 794 SH392

Approved number of Main Stations is 2

Station #2 1097 Route 66/CR 93

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$123,338. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 5,000 SAVING FOR A QUICK ATTACK

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 14,500.00

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: _____ Email: _____ Phone: _____
1. DONALD ADAMS 9044007m@yahoo.com 575-403-7911
2. _____

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

Franklin McCasland /s/

Printed Name

DONALD ADAMS

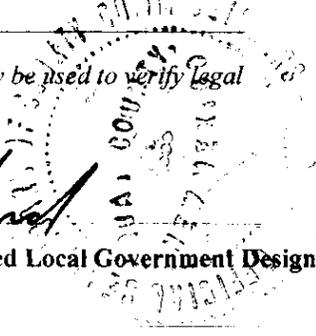
Printed Name

Franklin McCasland

Signature of Commission Chair or Authorized Local Government Designee

/s/ Donnell Cullen

Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Conservancy #1 COUNTY: Quay

FIRE DEPARTMENT ADDRESS: PO Box 725, Tucumcari, NM 88401

ISO CLASSIFICATION: 9

Approved number of Sub Stations is 1

Rural FD District #1 Quay Rd. AR NM

Approved number of Main Stations is 1

Conservancy #1 1002 S. Camino Del Coro NM

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$54,483. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 134,000 for an INITIAL ATTACK (FIRE GRANT)

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 152,132

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name:	Email:	Phone:
1. Micheale Jaynes	Michelle.JAYNES5@gmail.com	575-815-9615
2. John HANZE	PASTORJOHN@fbctuc.com	575-403-7682

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

Franklin McCasland

Printed Name

DONALD ADAMS

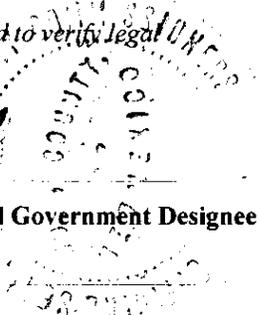
Printed Name

Franklin McCasland

Signature of Commission Chair or Authorized Local Government Designee

Donal Adams

Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

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DISTRICT 2 PATRICK H. LYONS
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DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



P.O. Box 1269
1120 Paseo de Peralta
Santa Fe, NM 87504-1269
STATE FIRE MARSHAL DIVISION
Room 413
800-244-6702 (In-state only)
(505) 476-0174
Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division **on or before April 30, 2015.**

FIRE DEPARTMENT Conservancy #2 COUNTY: Quay
FIRE DEPARTMENT ADDRESS: 2599 Quay Rd. 51, Grady, NM 88120
ISO CLASSIFICATION: 9

Approved number of Sub Stations is 1

Rural FD District #2 Tucumcari NM 88401

Approved number of Main Stations is 1

Lesbia Rural Fire Dept. D 3303 Hwy 278 Tucumcari NM 88401

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$54,483. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$35,000 SAVING FOR a type 5

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$48,000

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

<i>Name:</i>	<i>Email:</i>	<i>Phone:</i>
1. APRIL Shipley	april@shipleysystems.com	525-815-9863
2. DANNY WALLACE	rndwallace@yahoo.com	525-760-7794

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

Franklin McCasland

Printed Name

Franklin McCasland

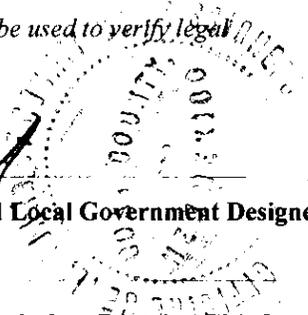
Signature of Commission Chair or Authorized Local Government Designee

DONALD ADAMS

Printed Name

Donald Adams

Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES



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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Conservancy #3 COUNTY: Quay
FIRE DEPARTMENT ADDRESS: 6697 Quay Road AD, Tucumcari, NM 88401
ISO CLASSIFICATION: 9

Approved number of Sub Stations is 1

Conservancy Fire District 3400 Quay Rd 72 Tucumcari NM 88401

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$54,483. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 100,000 saving for a new tanker

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 112,755

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name:	Email:	Phone:
1. Beverly Choate	rusal3@plateau.net	575-403-8017
2. DONALD ADAMS	quaycofm@yahoo.com	575-403-7911

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

Franklin McCasland

Printed Name

Franklin McCasland

Signature of Commission Chair or Authorized Local Government Designee

DONALD ADAMS

Printed Name

Donald Adams

Signature of County Fire Chief / Fire Marshal or District Chief

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Forrest COUNTY: Quay
FIRE DEPARTMENT ADDRESS: 3298 Quay Road 37, McAlister, NM 88427
ISO CLASSIFICATION: 8

Approved number of Sub Stations is 0
0 Sub Stations

Approved number of Main Stations is 1
Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$52,418. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 50,000 SAUING FOR A CLASS A

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 72,000 ✍

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

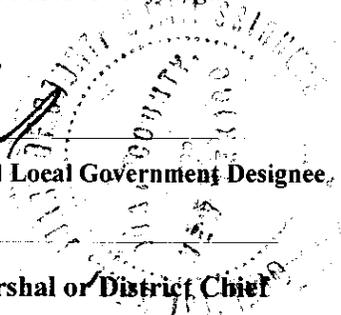
Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: _____ Email: _____ Phone: _____
1. Joe Garett Pappyjoe63.J9@gmail.com 575-309-9065
2. _____

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April, 2015.

Franklin McCasland /s/ Franklin McCasland
Printed Name Signature of Commission Chair or Authorized Local Government Designee
DONALD ADAMS /s/ Donald Adams
Printed Name Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES



CHIEF OF STAFF

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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year.

The application is due in the State Fire Marshal Division **on or before April 30, 2015.**

FIRE DEPARTMENT Jordan COUNTY: Quay

FIRE DEPARTMENT ADDRESS: 4648 Quay Rd. 31, McAlister, NM 88427

ISO CLASSIFICATION: 8

Approved number of Sub Stations is 2

McAlister	3229 State Hwy 252	NM
Ima	3699 Quay Rd BH	NM

Approved number of Main Stations is 1

Jordan	5613 State Hwy 156	McAlister	NM	88427
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Approved number of s is 0

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$89,422. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 75,000 Saving for a Type 5

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 87,000

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name:	Email:	Phone:
1. Bill Noland	bnoland@plateauval.net	575-760-5489
2. DONALD ADAMS	qumeycofu@yahoo.com	575-403-7911

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April, 2015.

Franklin McCasland

Printed Name

Franklin McCasland

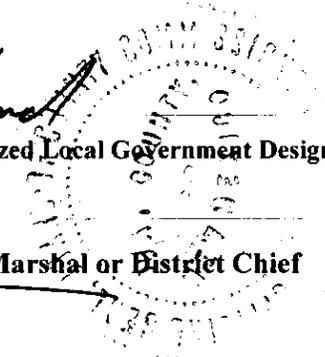
Signature of Commission Chair or Authorized Local Government Designee

Donald Adams

Printed Name

DONALD ADAMS

Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES



CHIEF OF STAFF

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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Nara Visa COUNTY: Quay

FIRE DEPARTMENT ADDRESS: 380 Bell St., Nara Visa, NM 88430

ISO CLASSIFICATION: 9

Approved number of Sub Stations is 0

0 Sub Stations

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$39,058. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 5,000 Saving for a new tanker

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$15,000 ←

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name:	Email:	Phone:
1. Beverly Eash	NVFD@plateaotcl.net	575-633-2081
2. Gary Girard	NVFD@plateaotcl.net	575-403-7025

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

<u>Franklin McLasland</u>	is	<u>Franklin McLasland</u>	
Printed Name		Signature of Commission Chair or Authorized Local Government Designee	
<u>DONALD ADAMS</u>	is	<u>Donald Adams</u>	
Printed Name		Signature of County Fire Chief / Fire Marshal or District Chief	

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Porter COUNTY: Quay

FIRE DEPARTMENT ADDRESS: PO Box 91, San Jon, NM 88434

ISO CLASSIFICATION: 9

Approved number of Sub Stations is 0

0 Sub-Stations

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$39,058. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 120,000 SAVING FOR A TANKER

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 129,000 

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at vernon.muller@state.nm.us

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: _____ Email: _____ Phone: _____
1. Michael Ewain Bromichaelfbcsj@live.com 505-815-0687
2. _____

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this 13th day of April 2015.

Franklin McCasland

Printed Name

DONALD ADAMS

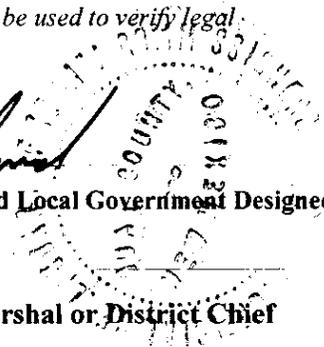
Printed Name

Franklin McCasland

Signature of Commission Chair or Authorized Local Government Designee

Donald Adams

Signature of County Fire Chief / Fire Marshal or District Chief



NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

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DISTRICT 5 SANDY JONES

CHIEF OF STAFF

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NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division **on or before April 30, 2015.**

FIRE DEPARTMENT Quay COUNTY: Quay
FIRE DEPARTMENT ADDRESS: 4314 Quay Road 50.4, Tucumcari, NM 88401
ISO CLASSIFICATION: 8

Approved number of Sub Stations is 0

0 Sub-Stations

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is \$52,418. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 175,000 Buying a new tanker in 2015/2016

*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 184,000 ⁰²

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

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Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

<i>Name:</i>	<i>Email:</i>	<i>Phone:</i>
1. Paula O'Steen	PAULA@STEEN@STATE.NM.US	575-403-7961
2. Gerald Hight	GHIGHT@PLATEAUTEL.NET	575-403-8076

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

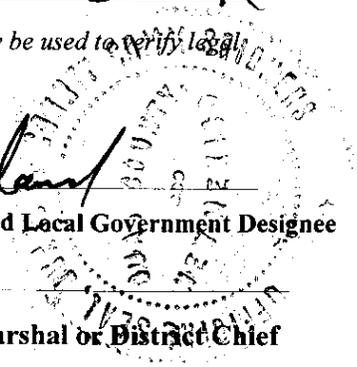
Signed and submitted on this 13th day of April 2015.

Franklin McLasland IS

Franklin McLasland
Signature of Commission Chair or Authorized Local Government Designee

Printed Name
DONALD ADAMS

IS Donald Adams
Signature of County Fire Chief / Fire Marshal or District Chief





QUAY COUNTY GOVERNMENT

300 South Third Street
P.O. Box 1246
Tucumcari, NM 88401
Phone: (575) 461-2112
Fax: (575) 461-6208

IPA Recommendation Form for Audits

(Please print on your agency's letterhead)

- ❖ Complete the audit contract (including obtaining the IPA's signature) and submit it to the Office of the State Auditor with this form by the deadline indicated at 2.2.2.8(G)(6)(c).

I. Agency Contact Information

Name of Agency: Quay County Government
Address of Agency: P. O. Box 1246
Phone # of Agency: 575-461-2112 FAX# of Agency 575-461-6208
City: Tucumcari (State: NM) Zip: 88401 - Web Site Address: quaycounty-nm.gov

Agency Head Contact Information

Name of Agency Head: Richard Primrose Title of Agency Head: County Manager
E-mail address of Agency Head: richard.primrose@quaycounty-nm.gov

Agency Contact Information

Name of Agency Contact: Cheryl Simpson Title of Agency Contact: Finance Officer
Phone # of Agency Contact: 575-461-2112 FAX# of Agency Contact 575-461-6208
E-mail address of Agency Contact: cheryl.simpson@quaycounty-nm.gov

Note: Please fill out e-mail address of contact person. All fully executed contracts will be sent via e-mail.

II. Recommended Independent Public Accountant (IPA) Information

As required by the Audit Rule, Section 2.2.2.8.E(3), an IPA subject to contract restriction is responsible for informing this agency whether it is eligible to engage in this proposed contract. By signing the signature page, I am verifying herein that the IPA has certified its eligibility to engage in this proposed contract.

Name of IPA Firm:
Kubiak Melton & Associates, LLC
Phone # 505-822-5100 Fax: 505-822-5106 E-mail _____
Address: 6747 Academy Road NE, Suite A, Albuquerque, NM 871

Note: If there is a change in the On-Site Manager, the Office of the State Auditor must be notified in writing.

III. Important Dates

For which Fiscal Year (FY) is this recommendation being made: FY2015
Estimated Audit Start Date 6/1/2015 Estimated Completion Date 10/15/2015

IV. Single Audit Requirement

Please check the box below that applies to your agency (a Single Audit should have been included in the procurement if the agency expended \$500,000 or more of federal funds:

- My agency procured an annual financial and compliance audit **without** a Single Audit.
 My agency procured an annual financial and compliance audit **with** a Single Audit.

V. Multi-Year Certification

Please check the appropriate box below:

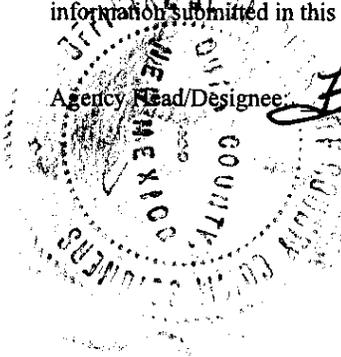
- This is a multi-year award and this request applies to the 2nd year of a 3 year Proposal.
- This is a one year procurement award for only the fiscal year indicated in Section III.

VI. Fee and Hour Breakdown

Category	The first year of our 3-year procurement was FY 20 <u>14</u> (or use just these columns for one-year procurement)		The second year of our 3-year procurement was FY 20 <u>15</u>		The third year of our 3-year procurement was FY 20 <u>16</u>	
	Year 1 Hours	Year 1 Cost	Year 2 Hours	Year 2 Cost	Year 3 Hours	Year 3 Cost
Financial Statement Audit	155.0	\$ 19,375.00	60.0	\$ 19,375.00	60.0	\$ 19,375.00
Financial Statement Preparation	18.0	\$ 2,250.00	21.0	\$ 2,250.00	21.0	\$ 2,250.00
Federal Single Audit						
Other allowed non-audit services						
Component Units						
Other						
SUBTOTAL		\$ 21,625.00		\$ 21,625.00		\$ 21,625.00
Gross Receipts Tax		\$ 1,514.00		\$ 1,514.00		\$ 1,514.00
TOTAL	173	\$ 23,139.00	81	\$ 23,139.00	81	\$ 23,139.00

SIGNATURE PAGE

I hereby certify that all the information submitted in this recommendation is true, accurate and complete to the best of my knowledge. Furthermore, I also hereby certify that, to the best of knowledge, my agency complied with applicable provisions of the New Mexico Procurement Code (Sections 13-1-28 through 13-1-199 NMSA 1978) and the Audit Rule (2.2.2 NMAC) in the procurement of the IPA and recommendation to the State Auditor. Finally, I hereby attest that I have the authority to certify the information submitted in this recommendation on behalf of the agency.



Agency Head/Designee: Franklin McCasland Franklin McCasland
(Signature) (Print Name)

Commission Chair 4/13/2015
(Title and Date)

Contract No. _____

**STATE OF NEW MEXICO
AUDIT CONTRACT
(Counties)**

Quay County Government

hereinafter referred to as the "Agency," and

Kubiak Melton & Associates, LLC

hereinafter referred to as the "Contractor," agree:

As required by the Audit Rule, NMAC Section 2.2.2.1 et seq., Contractor agrees to, and shall, inform the Agency of any restriction placed on Contractor by the Office of the State Auditor pursuant to NMAC Section 2.2.2.8.E, and whether the Contractor is eligible to enter into this Contract despite the restriction.

1. SCOPE OF WORK (Include in Paragraph 25 any expansion of scope)

A. The Contractor shall conduct a financial and compliance audit of the following applicable statements and schedules of the Agency for the period from **July 1, 2014 through June 30, 2015**:

- (1) Basic Financial Statements consisting of the government-wide financial statements, fund financial statements, budgetary comparison statements for the general fund and major special revenue funds (GASB 34, footnote 53), and the notes to the financial statements;
- (2) Required supplemental information (RSI), if applicable, consisting of budgetary comparison schedules for the general fund and major special revenue fund data presented on a fund, organization, or program structure basis because the budgetary information is not available on the GAAP fund structure basis for those funds (*GASB Statement No. 41, Budgetary Comparison Schedules—Perspective Differences an amendment of GASB Statement No. 34*) must be audited and included in the auditor's opinion (AAG-SLV 14.52);
- (3) Supplemental Information (SI) that must be audited and included in the auditor's opinion (AAG-SLV 14.52), if applicable, consisting of:
 - (a) Component unit fund financial statements and related combining statements (if there are no separately issued financial statements on the component unit per AAG-SLV 3.20);
 - (b) Combining financial statements;

- (c) Individual fund budget comparison statements for remaining funds that have an adopted budget, including proprietary funds, that did not appear as basic financial statement budget comparisons for the general fund, major special revenue funds or as RSI as described above; and
 - (d) Remaining supplemental information on schedules as required by NMAC Section 2.2.2.10.A(2)(f).
- B. The contractor shall apply certain limited procedures to the following required supplemental information (RSI), if applicable, and report deficiencies in or the omission of required information in accordance with the requirements of AU-C 730.05 to 730.09:
 - (1) The Management Discussion and Analysis (MD&A);
 - (2) RSI data required by Statements 25, 27, 43 and 45 regarding pension plans and post-employment healthcare plans administered by defined benefit pension plans; and
 - (3) Schedules derived from asset management systems (GASB 34, paragraphs 132 to 133).
- C. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America, *Government Auditing Standards*, OMB Circular A-133, and *Requirements for Contracting and Conducting Governmental Audits* (NMAC Section 2.2.2.1, et seq.).

2. DELIVERY AND REPRODUCTION

- A. In order to meet the delivery terms of this Contract, the Contractor shall deliver the following documents to the State Auditor on or before **November 1, 2015** and in accordance with NMAC Section 2.2.2.9:
 - (1) an organized, bound and paginated hard copy of the Agency's audit report for review;
 - (2) a copy of the signed management representation letter provided to the IPA by the Agency as required by AU-C580;
 - (3) a Summary of Findings Form available at www.osanm.org; and
 - (4) a copy of the completed State Auditor Report Review Guide available at www.osanm.org;
- B. Reports postmarked by the Agency's due date will be considered received by the due date for purposes of NMAC Section 2.2.2.9. Unfinished or excessively deficient reports will not satisfy this requirement; such reports will be rejected and returned to the Contractor and the State Auditor may take action in accordance with NMAC Section 2.2.2.13.C. If

the State Auditor does not receive copies of the engagement letter, management representation letter, summary of findings form and the completed Report Review Guide with the audit report or prior to submittal of the audit report, the State Auditor will not consider the report submitted to the State Auditor.

- C. As soon as the Contractor becomes aware that circumstances exist that will make the Agency's audit report late, the Contractor shall immediately provide written notification of the situation to the State Auditor. The notification shall include an explanation regarding why the audit report will be late, when the IPA expects to submit the report and a concurring signature by the Agency. The State Auditor shall also notify the Agency's oversight agency, but confidential information shall be omitted from that notification.
- D. Pursuant to NMAC Section 2.2.2.8.Q, the Contractor shall prepare a written and dated engagement letter that identifies the specific responsibilities of the Contractor and the Agency. The Contractor shall submit to the State Auditor an electronic copy of the signed and dated engagement letter and a list of client prepared documents with expected delivery dates within ten (10) days of the entrance conference.
- E. After its review of the audit report pursuant to NMAC Section 2.2.2.13, the State Auditor shall authorize the Contractor to print and submit the final audit report. Within five business days from the date of the authorization to print and submit the final audit report, the Contractor shall provide the State Auditor with **TWO** copies of the report and an electronic version of the audit report, in PDF format. After the State Auditor officially releases the audit report by issuance of a release letter, the Contractor shall deliver five (5) copies of the audit report to the Agency. The Agency or IPA shall ensure that every member of the Agency's governing authority shall receive a copy of the report.
- F. The Agency, upon delivery of its audit report, shall submit the required copies of the data collection form, audit report and corrective action plan to the federal clearinghouse designated by the Office of Management and Budget and each federal awarding agency if the schedule of findings and questioned costs disclose audit findings directly related to federal awards.

3. COMPENSATION

- A. The total amount payable by the Agency to the Contractor under this Contract, including New Mexico gross receipts tax and expenses, shall not exceed \$ 23,139.00.
- B. Contractor agrees not to, and shall not, perform any services in furtherance of this Contract prior to approval by the State Auditor. In accordance with Section 12-6-14(A), NMSA 1978, and NMAC Section 2.2.2.8.N(1), Contractor acknowledges and agrees that it will not be entitled to payment or compensation for any services performed by Contractor pursuant to this Contract prior to approval by the State Auditor.

C. Total Compensation will consist of the following:

SERVICES	AMOUNTS
(1) Financial statement audit	\$ 19,375.00
(2) Federal single audit	
(3) Financial statement preparation	\$ 2,250.00
(4) Other nonaudit services, such as depreciation schedule updates	
(5) Other (i.e., component units, specifically identified)	

Gross Receipts Tax = \$ 1,514.00

Total Compensation = \$ 23,139.00

D. The Agency shall pay the Contractor the New Mexico gross receipts tax levied on the amounts payable under this Contract and invoiced by the Contractor. Payment is subject to availability of funds pursuant to the Appropriations Paragraph set forth below.

E. Pursuant to Section 12-6-14, NMSA 1978 and NMAC Section 2.2.2.8.N, the State Auditor may authorize progress payments to the Contractor by the Agency; provided that the authorization is based upon evidence of the percentage of audit work completed as of the date of the request for partial payment. Progress payments up to 69% do not require State Auditor approval, provided that the Agency certifies receipt of services. The Agency must monitor audit progress and make progress payments only up to the percentage that the audit is completed prior to making the 69% payment. Progress payments from 70% to 90% require State Auditor approval after being approved by the Agency. If requested by the State Auditor, the Agency shall provide a copy of the approved progress billings. The State Auditor may allow only the first 50% of progress payments to be made without State Auditor approval if the Contractor's previous audits were submitted after the due date. Final payment for services rendered by the Contractor shall not be made until a determination and written finding is made by the State Auditor in the release letter that the audit has been made in a competent manner in accordance with the provisions of this Contract and applicable rules of the State Auditor.

4. **TERM**

A. THIS CONTRACT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE STATE AUDITOR. Unless terminated pursuant to Paragraphs 5 or 19, this Contract shall terminate one calendar year after the date on which it is signed by the State Auditor.

B. If awarded based on a multi-year proposal, each permitted annual extension of the Contract shall be executed by mutual agreement of the parties and approval of the State Auditor pursuant to NMAC Section 2.2.2.8.G(4).

5. **TERMINATION, BREACH AND REMEDIES**

A. This Contract may be terminated:

- (1) By either party without cause, upon written notice delivered to the other party and the State Auditor at least ten (10) days prior to the intended date of termination.
- (2) By either party, immediately upon written notice delivered to the other party and the State Auditor, if a material breach of any of the terms of this Contract occurs. Unjustified failure to deliver the report in accordance with Paragraph 2 shall constitute a material breach of this Contract.
- (3) By the Agency pursuant to Paragraph 19, immediately upon written notice to the Contractor and the State Auditor.
- (4) By the State Auditor, immediately upon written notice to the Contractor and the Agency after determining that the audit has been unduly delayed, or for any other reason.

B. By termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. If the Agency or the State Auditor terminates this Contract, the Contractor shall be entitled to compensation for work performed prior to termination in the amount of earned, but not yet paid, progress payments, if any, that the State Auditor has authorized to the extent required by Paragraph 3(E). If the Contractor terminates this Contract for any reason other than Agency's breach of this Contract, the Contractor shall repay to the Agency the full amount of any progress payments for work performed under the terms of this Contract.

C. Pursuant to NMAC Section 2.2.2.8.D, the State Auditor may disqualify the Contractor from eligibility to contract for audit services with the State of New Mexico if the Contractor knowingly makes false statements, false assurances or false disclosures under this Contract. The State Auditor on behalf of the Agency or the Agency may bring a civil action for damages or any other relief against a Contractor for a material breach of this Contract.

D. **THE REMEDIES HEREIN ARE NOT EXCLUSIVE, AND NOTHING IN THIS SECTION 5 WAIVES OTHER LEGAL RIGHTS AND REMEDIES OF THE PARTIES.**

6. **STATUS OF CONTRACTOR**

The Contractor and its agents and employees are independent contractors performing professional services for the Agency and are not employees of the Agency. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of state vehicles or any other benefits afforded to employees of the Agency as a result of this Contract. The Contractor agrees not to purport to bind the State of New Mexico to any obligation not assumed under this Contract unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. **ASSIGNMENT**

The Contractor shall not assign or transfer any interest in this Contract or assign any claims for money due or to become due under this Contract.

8. **SUBCONTRACTING**

The Contractor shall not subcontract any portion of the services to be performed under this Contract without the prior written approval of the Agency and the State Auditor. An agreement between the Contractor and a subcontractor to subcontract any portion of the services under this Contract shall be completed on a form prescribed by the State Auditor. The agreement shall be an amendment to this Contract and shall specify the portion of the audit services to be performed by the subcontractor, how the responsibility for the audit will be shared between the Contractor and the subcontractor, the party responsible for signing the audit report and the method by which the subcontractor will be paid. Pursuant to NMAC Section 2.2.2.8.L, the Contractor may subcontract only with independent public accounting firms that are on the State Auditor's List of Approved Firms pursuant to NMAC Section 2.2.2.8.B, and that are not otherwise restricted by the Office from entering into such a contract pursuant to NMAC Section 2.2.2.8.E.

9. **RECORDS**

The Contractor shall maintain detailed time records that indicate the date, time, and nature of services rendered during the term of this Contract. The Contractor shall retain the records for a period of at least five (5) years after the date of final payment under this contract. The records shall be subject to inspection by the Agency and the State Auditor. The Agency and the State Auditor shall have the right to audit billings both before and after payment. Payment under this Contract shall not foreclose the right of the Agency or the State Auditor on behalf of the Agency to recover excessive or illegal payments.

10. **RELEASE**

The Contractor, upon receiving final payment of the amounts due under the Contract, releases the State Auditor, the Agency, their respective officers and employees and the State of New Mexico from all liabilities, claims and obligations whatsoever arising from or under this Contract. This paragraph does not release the Contractor from any liabilities, claims or obligations whatsoever arising from or under this Contract.

11. **CONFIDENTIALITY**

All information provided to or developed by the Contractor from any source whatsoever in the performance of this Contract shall be kept confidential and shall not be made available to any individual or organization by the Contractor, except in accordance with this Contract or applicable standards, without the prior written approval of the Agency and the State Auditor.

12. **PRODUCT OF SERVICES; COPYRIGHT AND REPORT USE**

Nothing developed or produced, in whole or in part, by the Contractor under this Contract shall be the subject of an application for copyright by or on behalf of the Contractor. The Agency and the State Auditor may post an audited financial statement on their respective websites once it is publicly released by the State Auditor.

13. **CONFLICT OF INTEREST**

The Contractor represents and warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Contract. Each of the Contractor and the Agency certifies that it has followed the requirements of the Governmental Conduct Act, Section 10-16-1, et seq., NMSA 1978, regarding contracting with a public officer, state employee or former state employee, as required by the applicable professional standards.

14. **INDEPENDENCE**

The Contractor represents and warrants its personal, external and organizational independence from the Agency in accordance with the *Government Auditing Standards 2011 Revision*, issued by the Comptroller General of the United States, and NMAC Section 2.2.2.8.M. The Contractor shall immediately notify the State Auditor and the Agency in writing if any impairment to the Contractor's independence occurs or may occur during the period of this Contract.

15. **AMENDMENT**

This Contract shall not be altered, changed or amended except by prior written agreement of the parties and with the prior written approval of the State Auditor. Any amendments to this Contract shall comply with the Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978.

16. **MERGER**

This Contract supersedes all of the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Contract. Contractor and Agency shall enter into and execute an engagement letter pursuant to NMAC Section 2.2.2.8.Q, consistent with Generally Accepted Auditing Standards (GAGAS). **The engagement letter and any associated documentation included with or referenced in the engagement letter shall not be interpreted to amend this Contract. Conflicts between the engagement letter and this Contract are governed by this Contract, and shall be resolved accordingly.**

17. **APPLICABLE LAW**

The laws of the State of New Mexico shall govern this Contract. By execution of this Contract, Contractor irrevocably consents to the exclusive personal jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising from or related to this Contract.

18. AGENCY BOOKS AND RECORDS

The Agency is responsible for maintaining control of all books and records at all times and the Contractor shall not remove any books and records from the Agency's possession for any reason.

19. APPROPRIATIONS

The terms of this Contract are contingent upon sufficient appropriations and authorization being made by the legislature or the Agency's governing body for the performance of this Contract. If sufficient appropriations and authorization are not made by the legislature or the Agency's governing body, this Contract shall terminate upon written notice being given by the Agency to the Contractor. The Agency's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. This section of the Contract does not supersede the Agency's requirement to have an annual audit pursuant to Section 12-6-3(A) NMSA 1978.

20. PENALTIES FOR VIOLATION OF LAW

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

21. EQUAL OPPORTUNITY COMPLIANCE

The Contractor shall abide by all federal and state laws, rules and regulations, and executive orders of the Governor of the State of New Mexico pertaining to equal employment opportunity. In accordance with all such laws, rules, regulations and orders, the Contractor assures that no person in the United States shall, on the grounds of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap or serious medical condition, spousal affiliation, sexual orientation or gender identity be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Contract. If the Contractor is found not to be in compliance with these requirements during the life of this Contract, the Contractor shall take appropriate steps to correct these deficiencies.

22. WORKING PAPERS

- A. The Contractor shall retain its working papers of the Agency's audit conducted pursuant to this Contract for a period of at least five (5) years after the date shown on the opinion letter of the audit report, or longer if requested by the federal cognizant agency for audit,

oversight agency for audit, pass through-entity or the State Auditor. The State Auditor shall have access to the working papers at the State Auditor's discretion. When requested by the State Auditor or the Agency, the Contractor shall deliver the original or clear, legible copies of all working papers to the requesting entity.

- B. If the Contractor wishes to review the working papers of a predecessor, Contractor shall request that the Agency seek delivery of the working papers from a predecessor contractor.

23. DESIGNATED ON-SITE STAFF

The Contractor's on-site individual auditor responsible for supervision of work and completion of the audit is Daniel O. Trujillo. The Contractor shall notify the Agency and the State Auditor in writing of any changes in staff assigned to perform the audit.

24. INVALID TERM OR CONDITION

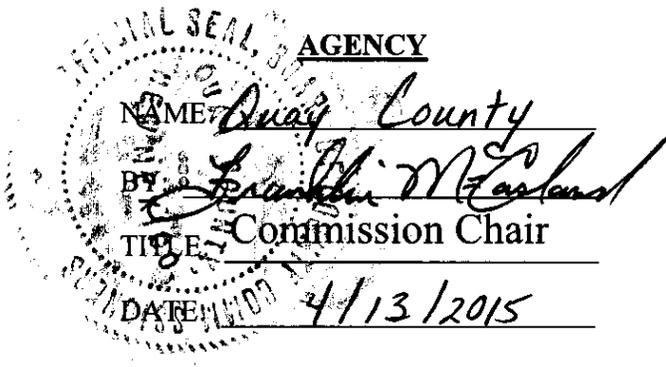
If any term or condition of this Contract shall be held invalid or unenforceable, the remainder of this Contract shall not be affected.

25. OTHER PROVISIONS

If no other provisions are listed in this section, the remainder below is intentionally left blank.

SIGNATURE PAGE

This Contract is made effective as of the date of the signature of the Office of the State Auditor.



AGENCY

NAME: Quay County
BY: Franklin M. Garland
TITLE: Commission Chair
DATE: 4/13/2015

CONTRACTOR

NAME: _____
BY: _____
TITLE: _____
DATE: _____

This Contract has been approved by:

OFFICE OF THE STATE AUDITOR

BY: _____
TITLE: DEPUTY STATE AUDITOR
DATE: _____

State Auditor Contract No. 15 -

Contract No. _____

STATE OF NEW MEXICO
QUAY COUNTY GOVERNMENT
AUDIT CONTRACT AMENDMENT No. 1

QUAY COUNTY GOVERNMENT
hereinafter referred to as the "Agency," and

KUBIAK MELTON & ASSOCIATES, LLC
hereinafter referred to as the "Contractor," agree:

1. RECITALS.

Agency and Contractor are parties to that certain Audit Contract (the "Contract"), which they wish to amend pursuant to this Audit Contract Amendment (the "Amendment")

2. AMENDMENTS.

The following provisions of the Contract are deleted in their entirety and replaced by the following:

1. Scope of Work.

The Contractor shall provide the following services:
(attach additional supporting documentation if necessary):

Additional hours are needed to complete audit per applicable standards.

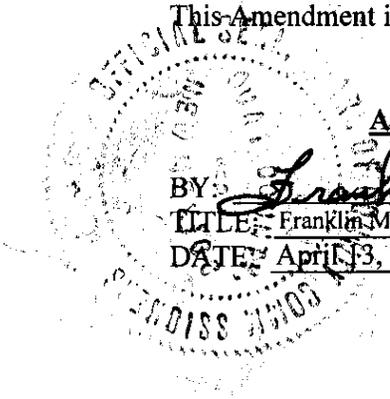
2. Compensation.

SERVICES	CURRENT HOURS	CURRENT COST	AMENDED HOURS	AMENDED COST
(1) Financial statement audit	60	19375.00	90	23495.00
(2) Federal single audit				
(3) Financial statement preparation	21	2250.00	58	6505.00
(4) Other non-audit services, such as depreciation schedule updates				
(5) Other (i.e., component units, specifically identified)				
SUBTOTAL		21625		30000
Gross Receipts Tax		1514.00		2100.00
TOTAL	81	23139	148	32100

3. MISCELLANEOUS

THIS AMENDMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE OFFICE OF THE STATE AUDITOR. All provisions of the Contract not expressly amended in this Amendment remain unchanged.

This Amendment is effective as of the date of the signature of the Office of the State Auditor.



AGENCY
BY: Franklin McCasland
TITLE: Franklin McCasland, Chairman
DATE: April 23, 2015

CONTRACTOR
BY: _____
TITLE: _____
DATE: _____

This Contract has been approved by:
OFFICE OF THE STATE AUDITOR

BY: _____
TITLE: DEPUTY STATE AUDITOR
DATE: _____

STATE AUDITOR CONTRACT NO. 15 - _____

**QUAY COUNTY
FISCAL YEAR 2014-2015
RESOLUTION No. 33**

Authorization of Budgetary Increase to **Planning Grant Fund (656)**

WHEREAS, at meeting of the Board of Quay County Commissioners on April 13, 2015 the following was among the proceedings;

WHEREAS, the Board of Quay County Commissioners deems it necessary to request this Budgetary Increase

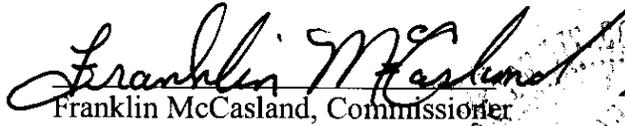
**State Fund 300
Budgetary Increase**

	<u>DEBIT</u>	<u>CREDIT</u>
656-00-37235 County Entities Revenue		\$ 17,833.32
656-12-45050 Contractual Services	\$ 17,833.32	

WHEREAS, the above activity was not contemplated at the time the final budget was adopted and approved **Increase of Revenue Received**

NOW THEREFORE, BE IT RESOLVED that after approval of the Local Government Division of the Department of Finance and Administration, the above Budgetary Increase be made.

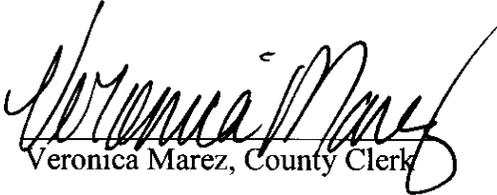
DONE at Tucumcari, County of Quay, New Mexico this 13th day of April, 2015.

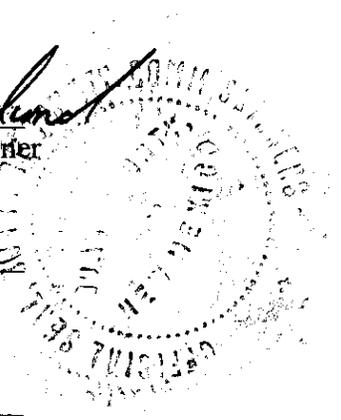

Franklin McCasland, Commissioner


Sue Dowell, Commissioner


Mike Cherry, Commissioner

ATTEST:


Veronica Marez, County Clerk



**QUAY COUNTY
FISCAL YEAR 2014-2015
RESOLUTION No. 34**

Authorization of Budgetary Increase to **Nara Visa Fire District Fund (410)**

WHEREAS, at meeting of the Board of Quay County Commissioners on April 13, 2015 the following was among the proceedings;

WHEREAS, the Board of Quay County Commissioners deems it necessary to request this Budgetary Increase

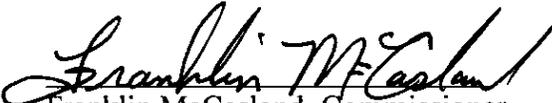
**State Fund 209
Budgetary Increase**

	<u>DEBIT</u>	<u>CREDIT</u>
410-12-46030 Safety Equipment Expense	\$ 71,000.00	

WHEREAS, the above activity was not contemplated at the time the final budget was adopted and approved **Cash Balance**

NOW THEREFORE, BE IT RESOLVED that after approval of the Local Government Division of the Department of Finance and Administration, the above Budgetary Increase be made.

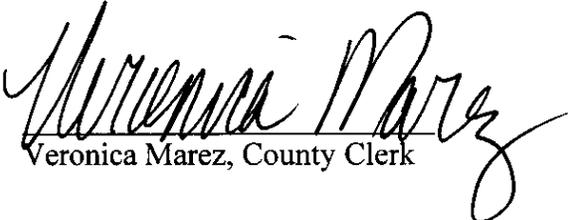
DONE at Tucumcari, County of Quay, New Mexico this 13th day of April, 2015.

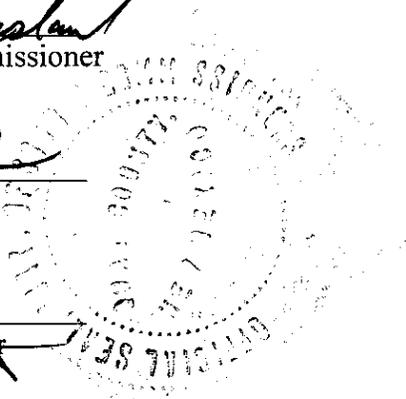

Franklin McCasland, Commissioner


Sue Dowell, Commissioner


Mike Cherry, Commissioner

ATTEST:


Veronica Marez, County Clerk



**City of Tucumcari - Quay County - Village of Logan - Village of
San Jon - Village of House
Joint Powers Agreement
Governing the Tucumcari/Quay Regional Emergency
Communications Center**

THIS AMENDED JOINT POWERS AGREEMENT is entered into by and between the City of Tucumcari, a New Mexico municipal corporation ("Tucumcari"), Quay County, a political subdivision of the State of New Mexico ("Quay"), the Village of Logan, a municipal corporation ("Logan"), the Village of San Jon, a municipal corporation ("San Jon") and the Village of House, a municipal corporation ("House").

RECITALS

1. It is in the best interests of Tucumcari, Quay, Logan, San Jon, and House to combine public safety communications dispatch functions in order to provide more efficient and responsive communications; and
2. Pursuant to the Joint Powers Agreements Act, NMSA 1978, Sections 11-1-1 through 11-1-7, Tucumcari, Quay, Logan, San Jon, and House are explicitly authorized to enter into a Joint Powers Agreement (hereinafter "JPA") to establish and govern a separate agency to possess and exercise common powers of the parties, which agency shall be a joint communications center known as the Tucumcari/Quay Regional Emergency Communications Center (TQRECC); and
3. Each party has agreed to make annual financial contributions as set forth in this agreement to operate TQRECC: 2016 funding will be at the same rate as 2015 with a reduction in contributions based on the revenue from the County Emergency Communications GRT minus 10% for Capital Improvements. The County will deposit and hold the County Emergency Communication GRT in a separate fund and transfer funds to the fiscal agent when an invoice is submitted and approved by the Board.

NOW THEREFORE, in consideration of the mutual benefits that will accrue to Tucumcari, Quay, Logan, San Jon, and House and the residents thereof, the parties agree as follows:

PURPOSES

The purposes of this Joint Powers Agreement are: to define the terms and conditions for operating, administering and maintaining a joint enhanced 911 Regional Emergency Communications Center; to provide emergency telephone access for the citizens of the Municipalities and County; to obtain needed emergency services including fire, EMS and law enforcement services; and to provide for the emergency communications needs of the public safety agencies of the Municipalities and County. Communications services to be provided for each party through TQRECC shall include any independent contractor retained by any party to provide emergency response services.

I. THE TQRECC BOARD. TQRECC shall be governed by a Board of Directors (hereinafter "the TQRECC Board" or the "Board").

A. Membership. The TQRECC Board shall have nine (9) voting members. The voting members will be designated yearly in January by each entity.

1. One (1) member and a designated alternate member shall be appointed by the City Commission.
2. One (1) member and a designated alternate member shall be appointed by the Quay County Board of Commissioners.
3. The Tucumcari Police Chief shall be a member, and shall designate an alternate member.
4. The Quay County Sheriff shall be a member, and shall designate an alternate member.
5. The Tucumcari Fire Chief shall be a member, and shall designate an alternate member.
6. The Quay County Fire Marshal shall be a member, and shall designate an alternate member.
7. One (1) member and a designated alternate shall be appointed by the Commission for the Village of Logan.
8. One (1) member and a designated alternate shall be appointed by the Commission for the Village of San Jon.
9. One (1) member and a designated alternate member shall be appointed by the Commission for Village of House.

B. Powers and Duties. The TQRECC Board shall oversee all aspects of the operation of TQRECC consistent with the requirements and limitations herein.

1. Conduct of Business.

a. Meetings. All meetings of the TQRECC Board shall be held in compliance with the New Mexico Open Meetings Act. The Board shall meet on at least a quarterly basis, and shall elect at least a Chairperson and a Vice-Chairperson and issue a statement of reasonable notice in compliance with the New Mexico Open Meetings Act, on at least an annual basis.

b. Quorum. A majority of the Board, including any designated alternate member attending in the absence of a member, shall constitute a quorum and shall have the authority to conduct the business of the Board.

c. Voting. Designated alternate members shall be entitled to vote only in the absence of the primary named member; a representative of the member who is not the designated alternate shall be allowed to participate in debate in the absence of the member and designated alternate, but shall not be entitled to vote as a member of the TQRECC Board. The TQRECC Chairman is a voting member of the Board.

d. By-laws. The Board shall enact By-laws, which must be approved by a 2/3 majority of a quorum of the Board after all Board members have received thirty (30) day notice of the time and place of the meeting, and that the By-laws will be considered for adoption or amendment. The TQRECC Board shall have the authority to replace the Chair or Vice-Chair upon a 2/3 vote of the quorum present. The By-laws shall address election of officers, and otherwise regulate the conduct of business of the Board, and may include any provisions not inconsistent with this JPA and the Open Meetings Act.

2. Financial Management. The TQRECC Board shall assure proper management and control over the finances and property belonging to TQRECC according to DFA.

a. Annual Submittals. On an annual basis, the TQRECC Board shall approve and submit the following to each party to this JPA:

- i. A financial statement audit performed by an independent certified public accountant selected by the fiscal agent, setting forth information including but not limited to revenues received and their sources, expenditures, and obligations incurred and unpaid during the reporting period; and
- ii. An inventory of equipment, real and personal property held or owned by TQRECC; and
- iii. A recommended budget for the following fiscal year, which shall be submitted prior to the earliest budget request deadline, set by either Tucumcari or Quay for internal department budget proposals.

b. Insurance. The TQRECC Board shall assure that all appropriate insurance coverage is procured for the activities of TQRECC, and the TQRECC Board (where appropriate), including but not limited to: Workman's Compensation Insurance, General Liability Insurance, Unemployment Insurance and Property Insurance. All coverages shall comply with statutory requirements to insure all liabilities under the New Mexico Tort Claims Act, and shall also include coverage for civil rights claims.

c. Contracts. The TQRECC Board shall have the authority to authorize the TQRECC Director to sign contracts with public or private entities consistent with the actions and policies of the TQRECC Board, the approved budget for TQRECC, and applicable fiscal agent Procurement Code requirements.

3. Operations Management. The TQRECC Board shall establish rules and regulations for the conduct of business by TQRECC, including but not limited to promulgation of administrative personnel regulations. The Board shall approve and set the compensation plan for all TQRECC personnel. Although employees of TQRECC shall technically be employees of the County of Quay for payroll and P.E.R.A. (Public Employee Retirement Association) purposes, they shall not be subject to the County's personnel regulations, nor oversight by Quay County, other than as a member of this TQRECC. TQRECC personnel shall be subject to all personnel regulations adopted by the TQRECC Board.

a. Supervision of the TQRECC Director. The TQRECC Board shall hire and supervise a Director of TQRECC, who shall be responsible for the day to day operations of TQRECC, and shall attend all TQRECC Board meetings whenever possible, and shall send an alternate when unable to attend. Members of the Board shall not be involved in the day-to-day operations of TQRECC except as outlined herein.

b. Duties of the Director. The Director of TQRECC shall be in charge of the day-to-day operations of TQRECC. Consistent with decisions, policies, and direction of the TQRECC Board, the Director's administrative and supervisory responsibilities shall include but not be limited to:

- i. Planning, directing and controlling the operations of TQRECC.
- ii. Hiring, training, and supervising all TQRECC personnel;
- iii. assigning and scheduling personnel;

- iv. Disciplining all personnel, including firing personnel with Board approval;
- v. Maintaining a liaison with all agencies utilizing the communications system;
- vi. Reporting to the Board on the operations of TQRECC.
- vii. Seeking out additional sources of revenue for TQRECC, and administering any grants accepted by the TQRECC Board.
- viii. The Director of TQRECC must be a certified dispatcher, or acquire certification within one (1) year of assuming the position.

c. TQRECC Chair as Liaison. The Chairperson of the TQRECC Board shall be the primary liaison between the TQRECC Board and the Director of TQRECC, and shall have the authority to give direction to the TQRECC Director when needed prior to the next regularly scheduled meeting of the TQRECC Board. The Chairperson and the Director shall have a duty to report to the Board at its next meeting regarding any significant issues addressed by the Chair and the Director. The Vice-Chairperson shall have such authority and duty if the Chairperson is not available when needed by the TQRECC Director.

d. Board Authority. The TQRECC Board shall have the authority to override any policy or other decisions made by the TQRECC Director, regardless of any initial direction which may have been provided by the Chairperson or Vice-Chairperson.

e. Hiring of City of Tucumcari Personnel. The TQRECC Board agrees to hire up to seven (7) City of Tucumcari employees. The TQRECC Board will hire all employees who are currently working for the City of Tucumcari in Dispatch, as the Dispatch Manager, Dispatch Supervisor, and 5 Dispatchers as employees for the TQRECC.

Pursuant to the City of Tucumcari Municipal Ordinance, §2.64.140, the City of Tucumcari shall institute a reduction in force related to such employees arising from the circumstances occasioned by this agreement. The City shall further notify the seven (7) employees as identified above that their positions with the City of Tucumcari shall be eliminated. The City of Tucumcari shall further notify the seven (7) employees that the TQRECC Board will concurrently offer them a position with TQRECC, which shall be substantially similar if not identical to the job currently being performed by such employees for the City of Tucumcari and for the same rate of pay/benefits except Retiree Health Insurance. The City of Tucumcari shall

pay these employees their accrued benefits and such other compensation as they may be entitled to. The County of Quay shall assist such employees by providing such documents as may be necessary to ensure their placement on the County payroll and to assist in enrolling them to the extent necessary with PERA.

II. SUBCOMMITTEES. The TQRECC Board shall have the right to create subcommittees as needed from time to time to carry out the duties of the TQRECC Board, for whatever time period deemed appropriate by the Board.

III. FINANCIAL CONTRIBUTIONS. The financial contribution amounts required from the parties under this JPA shall be in addition to in-kind services to be provided under this JPA, such as fiscal agent services to be provided by Quay County or any other in-kind services or contributions the parties may choose to provide.

A. Tucumcari and Quay

1. Contributions. Tucumcari shall contribute Forty-Five Percent (45%) and Quay shall contribute Forty-Five Percent (45%) of the net operating budget of TQRECC for each fiscal year. The net operating budget will be the total operating budget minus the County Emergency Communications GRT contributions and minus contracted contributions for other entities.

2. Budget Procedures. Tucumcari and Quay shall consider the budget recommended by the TQRECC Board, and shall notify the Director of TQRECC no later than May 31st if the party has not included its share of the TQRECC budget proposed by the Board in the preliminary budget submitted by that party to the Department of Finance and Administration for the upcoming fiscal year. Neither Tucumcari nor Quay shall refuse to include its share of the budget proposed by TQRECC in its preliminary and final budgets if the proposed budget is equal to or less than the budget for TQRECC for the previous fiscal year, unless the governing bodies of both Tucumcari and Quay agree to so reduce the TQRECC budget.

B. Logan, San Jon, and House.

1. Contributions. The amount of contributions to the TQRECC budget for Logan, San Jon, and House shall be determined by the TQRECC Board on an annual basis as part of the process for a budget proposal to Tucumcari and Quay. The contributions shall not exceed 10% of the TQRECC net operating budget and shall be on a prorated basis between Logan, San Jon and House based upon each Municipalities respective population.

C. Services for Other Entities. Any other potential contributor will be charged an amount as established by the TQRECC Board in considering the contract to

provide communications services. This shall include, but not be limited to, Harding County, San Miguel County, and the New Mexico State Parks.

D. Payment of Contributions. Tucumcari and Quay will pay monthly 1/12th of their respective requested annual contributions the first day of each month. Logan, San Jon, and House will pay annually and will be due by July 31st of each year.

E. Late Payment of Contributions. Contribution payments made thirty or more days after the due date will be subject to a late fee. The late fee will be determined by the TQRECC Board annually based on the prevailing late fee in use by the fiscal agent.

F. Use of Excess Funds. Any excess funds at the end of the fiscal year shall be carried over to the next year as reserve unless allocated as determined by the TQRECC Board.

IV. FISCAL AGENT. Quay County shall operate as the fiscal agent for TQRECC. The duties of the fiscal agent shall be as follows.

A. Financial Operations.

1. The fiscal agent shall bill and collect all revenues from the parties of this agreement for and on behalf of TQRECC at the precise times and in the amounts as determined through the procedures in Article III herein.
2. The fiscal agent will maintain separate accounting designated specifically for TQRECC revenue and operational accounts and related budgets.
3. The fiscal agent shall make all revenue or budget transfers and all disbursements for TQRECC, as directed by the TQRECC Director or his/her designee consistent with authority granted by the TQRECC Board.
4. The fiscal agent may charge monthly interest, not to exceed the highest rate allowed by law that accrues when TQRECC operations result in a negative cash position based upon completely updated transaction processing.
5. The fiscal agent shall not allow any department of the fiscal agent to charge against any account unless the department submits an invoice with supporting documentation to be approved by the TQRECC Director or Board, consistent with policies and procedures established by the TQRECC Board and the TQRECC Director and the State Procurement Code.
6. The fiscal agent shall be responsible for preparing financial reports for TQRECC on an annual basis and as may be requested by the TQRECC Board from time to time, and for presenting the reports to the TQRECC Board for review and approval.
7. The fiscal agent shall strictly account for all receipts and disbursements made pursuant to this JPA, in accordance with the State Procurement Code and all other applicable laws and regulations.
8. The fiscal agent will provide procurement services for TQRECC in accordance with the State Procurement Code, consistent with New Mexico law.
9. The fiscal agent shall account for all transactions on behalf of TQRECC, including those related to fixed assets, to provide for internal controls relating to the acquisition and disposal of fixed assets and proper recording of all liabilities.

10. The fiscal agent shall provide all necessary accounting records sufficient to facilitate a "stand alone" financial statement. The TQRECC financial statements shall be audited by an independent CPA selected by Quay County and all applicable reports shall be included in the annual audited financial statements referred to in II.B.2.a (i) "Annual Submittals". Such audits shall be performed in accordance with Governmental Audit Standards. The audit may be performed in conjunction with the Quay County annual audit as required by Office of the State Auditor.

B. Personnel Administration.

1. The fiscal agent will house all personnel files of TQRECC employees, and TQRECC staff, and shall be responsible for providing updated personnel documentation to the County to maintain personnel files.
2. The fiscal agent will provide human resource in-processing and maintenance for TQRECC employees' payroll system, based upon the payroll data provided by the TQRECC Director.
3. The fiscal agent shall be reimbursed actual cost of administration.

C. Limitations on Duties. The fiscal agent shall only be required to provide the services described herein, which shall not include:

1. Training services;
2. Benefits, programs or services specifically created for the usage of the fiscal agent's employees, other than administration of benefits provided through TQRECC's personnel policies;
3. Legal services;
4. Risk management;
5. Employee Assistance Program; or
6. Maintenance services not critical to the operations of TQRECC.

V. TQRECC FACILITIES. Tucumcari shall continue to provide space, utilities, and janitorial services for TQRECC, consistent with Tucumcari policies and procedures for providing space and services for Tucumcari entities. The City of Tucumcari will be reimbursed for the cost of providing these services.

VI. TERM OF AGREEMENT. This JPA shall be perpetual unless terminated as hereinafter provided.

A. Termination. If Tucumcari or Quay desires to terminate participation in this JPA, the party may do so only by providing written notice to the other parties at least one (1) year prior to the date of the proposed termination. If Logan, San Jon, or House desires to terminate participation in this JPA, the entity may do so by providing ninety (90) days written notice to the other parties. If Logan, San Jon, or House terminates participation in this JPA, the terms of this JPA shall continue in force as between the remaining parties. If Tucumcari or QUAY terminates participation in this JPA, the operations of TQRECC shall be discontinued upon the expiration of the termination period, unless a new JPA has been approved by the remaining parties and DFA prior to that time.

B. Ownership and Distribution of Property. All personal property previously owned by Tucumcari, Quay, Logan, San Jon or House for use in their individual dispatch centers and transferred to the possession of TQRECC shall become the personal property of TQRECC. TQRECC shall prepare a detailed inventory of all such equipment showing former ownership. This inventory shall be reviewed and approved by Tucumcari, Quay, Logan, and San Jon or House. TQRECC shall be responsible for inventorying this property with its own identification or property number and insuring said property to the extent necessary. Upon termination of this JPA, all real or personal property contributed by the parties shall be returned to the respective party that contributed such property and any all surplus real or personal property or any surplus money accrued by TQRECC pursuant to this JPA shall be returned to Tucumcari, Quay, Logan, and San Jon or House, in proportion to the most recent budgetary contribution percentages applicable herein.

VII. SEVERABILITY OF PROVISIONS. If any provision of this JPA is held invalid, the remainder of this JPA shall not be affected thereby and such remainder would constitute the JPA and TQRECC would continue to operate under the remaining provisions, unless the provision held invalid was such as to make the fulfillment of the purpose of this JPA impossible or impracticable.

VIII. TORT CLAIMS ACT. By entering into this Agreement, Tucumcari, Quay, Logan, San Jon, or House and their "public employees" as defined in the New Mexico Tort Claims Act, NMSA 1978, "41-4-1 et seq., do not waive sovereign immunity, or any defense or limitation of liability pursuant to law. No provision in this JPA modifies or waives any provision of the New Mexico Tort Claims Act.

IX. EFFECTIVE DATE AND AMENDMENTS. This Agreement shall not be effective until approved by the Board of Commissioners for Quay County, the City Commission for the City of Tucumcari, the Board of Commissioners for the Village of Logan, the Board of Commissioners for the Village of San Jon, the Board of Commissioners for the Village of House, and the Department of Finance and Administration of the State of New Mexico (DFA). This Agreement cannot be amended except in writing signed by all of the parties to this JPA, and approved by DFA.

X. EXECUTION. This JPA shall be executed in six (6) originals.

XII. ENTIRE AGREEMENT AND REPEAL. This agreement contains the entire understanding of the parties and no oral promise or agreement made by any party hereto is valid and binding unless incorporated herein. Any and all agreements made by any of the parties prior to this JPA relating to TQRECC be and the same are hereby repealed and held for naught.

XIII. LIABILITY PROVISION. No party to this JPA shall be responsible for liability incurred as a result of any other party's acts or omissions in connection with this JPA. Any liability incurred in connection with this JPA is subject to the immunities and limitations of the New Mexico Tort Claims Act. Each party shall be solely responsible for any liability as a result of its own willful acts, gross negligence, or negligence, or that of its officers, directors, agents, employees, servants, representatives, consultants, or contractors, subject to the immunities and limitations of the New Mexico Tort Claims Act.

IN WITNESS WHEREOF the parties have executed this Agreement as the dates documented below.

CITY OF TUCUMCARI:

QUAY COUNTY:

MAYOR

Franklin McCallister
CHAIR COUNTY COMMISSIONER

DATE: _____

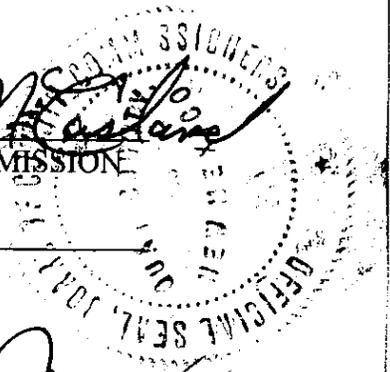
DATE: 4/13/15

ATTEST:

ATTEST:

CITY CLERK

Lorena Marquez
COUNTY CLERK



VILLAGE OF LOGAN:

VILLAGE OF SAN JON:

MAYOR

MAYOR

DATE: _____

DATE: _____

ATTEST:

ATTEST:

VILLAGE CLERK

VILLAGE CLERK

APPROVED AS TO FORM:

APPROVED AS TO FORM:

CITY ATTORNEY

COUNTY ATTORNEY

**THIS AGREEMENT HAS BEEN
APPROVED BY:**

STATE OF NEW MEXICO
DEPARTMENT OF
FINANCE & ADMINISTRATION

BY: _____

DATE: _____

TOLLING AGREEMENT

THIS TOLLING AGREEMENT is made and entered into this __ day of April, 2015, by and between Cordes & Company, the duly appointed and acting Receiver of Ute Lake Ranch, Inc., and DVR, LLC (the "Companies"), and the Quay County Board of County Commissioners (the "County"). The Companies and the County shall be collectively referred to as the "Parties."

1. This Tolling Agreement applies to any and all claims and defenses that the Parties have asserted or could assert against each other and the County's individual commissioners relating to actions taken with respect to or arising out of the Companies' application to develop the Estates at Ute Lake Ranch (the "Application").

2. While this Tolling Agreement is in effect, the Parties agree that as between them, all time-related defenses and claims related to the Application, including by way of example but not by way of limitation, laches, waiver, estoppel and statutes of limitation, are hereby reserved under this Tolling Agreement. Such defenses and claims are tolled as of the effective date of this Tolling Agreement until the earlier thirty days after one of the parties provides the other party with written notice of termination of the tolling period or August 1, 2015.

3. This Tolling Agreement shall be and is without prejudice to any claim or defense based on time limitations that could have been asserted prior to the effective date of this Tolling Agreement or that could be asserted after the expiration of this Tolling Agreement.

4. This Tolling Agreement begins and is effective March 1, 2015 and ends August 1, 2015.

5. Either the Companies or the County may terminate this Tolling Agreement by giving 30 days written notice.

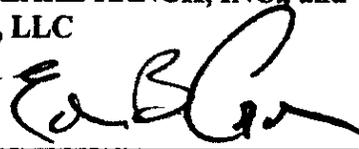
6. This Tolling Agreement is binding upon the parties and their successors and assigns.

7. The Companies' representative and the County's designee executing this Tolling Agreement warrant that they are duly authorized to represent and bind the parties hereto.

8. In consideration hereof the parties agree to enter a Rule 1-041(A) SCRA stipulated dismissal of D-1010-CV-2011-00062 without prejudice and further vacate any hearings on motions to dismiss claims of any party hereto in D-1010-CV-2010-00143 during the period of this tolling agreement.

UTE LAKE RANCH, INC., and
DVR, LLC

By:



Ed Cordes

Title: Receiver for Ute Lake Ranch
and DVR

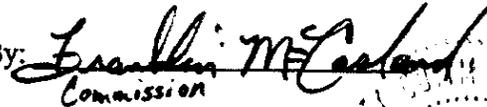
Date: ~~March~~, 2015

April 20,

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QUAY COUNTY BOARD OF
COUNTY COMMISSIONERS

By:



Commission

Title: Chairman

Date: ~~March~~, 2015

April 13, 2015

