

**RECORD OF PROCEEDINGS RELATING TO THE ADOPTION OF  
RESOLUTION NO. R-14-64 OF THE BOARD OF COUNTY  
COMMISSIONERS OF GRANT COUNTY, NEW MEXICO  
DECEMBER 11, 2014**

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF GRANT )

The Board of County Commissioners (the "Board") of Grant County (the "County"), in the State of New Mexico, met in open regular meeting in full conformity with law and the ordinances and rules of the County, in the Commissioners' Chambers of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board, at 9:00 a.m., on December 11, 2014, at which time there were present and answering the roll call, the following members:

Commissioners: Brett Kasten  
Gabriel Ramos  
Ron Hall

Absent: None

Thereupon the following proceedings, among others, were had and taken, to wit:

There was officially filed with the County Clerk, the Chairman and each Commissioner, a copy of a resolution in final form, which is as follows:

**GRANT COUNTY, NEW MEXICO  
RESOLUTION NO.R-14-64**

**NOTICE OF INTENT TO ADPOPT AN ORDINANCE**

WHEREAS, the Grant County Board of Commissioners (the "Commission") is authorized to provide for the safety, health, and welfare of the inhabitants of Grant County; and

WHEREAS, the Commission is authorized to enter Franchise Agreements under NMSA (1978) § 62-1-3; and

WHEREAS, the Commission desires to enter a new franchise agreement with Comcast of New Mexico, LLC, through the adoption of an ordinance; and

WHEREAS, in order to consider an ordinance, the Commission must publish notice of its intention to do so at least 14 days before the meeting at which the ordinance will be considered, in accordance with section 4-37-7 NMSA 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY, NEW MEXICO:

1. An ordinance (the "Ordinance"), entitled AN ORDINANCE GRANTING A FRANCHISE FOR CABLE SERVICES TO COMCAST OF NEW MEXICO, LLC, to be introduced before the Commission shall be filed with the County Clerk, and shall be considered by the Commission at a regular meeting of the Commission on Thursday, January 8, 2015, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Conference Room of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board.

2. The following notice shall be published one time in the Silver City Daily Press, a newspaper of general circulation in the County, as soon as is practicable following the adoption of this resolution:

(Form of Notice)

**NOTICE OF CONSIDERATION OF ORDINANCE NO. [ ]**  
**GRANT COUNTY, NEW MEXICO**

NOTICE IS GIVEN that the Board of County Commissioners (the "Board"), constituting the governing body of the Grant County, New Mexico (the "County"), will consider the adoption of an ordinance (the "Ordinance") entitled: AN ORDINANCE GRANTING A FRANCHISE FOR CABLE SERVICES TO COMCAST OF NEW MEXICO, LLC. The purpose of the ordinance is to approve a non-exclusive franchise agreement between Grant County and Comcast of New Mexico, LLC, permitting Comcast to use the County's rights-of-way for construction, operation, and maintenance of a cable system for the citizens of Grant County.

The Ordinance will be considered at a regular meeting of the Commission on January 8, 2015, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Commissioners' Chambers of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board.

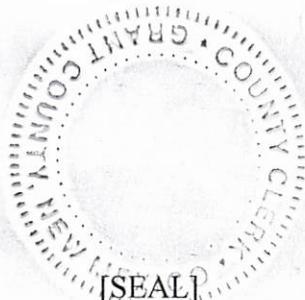
A copy of the Ordinance in draft form is on file and available for inspection during normal business hours at the office of the County Clerk at the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, New Mexico.

DATED: December 11, 2014.

  
/s/ *Bert Kast*  
Chairman, Board of County  
Commissioners  
Grant County, New Mexico

(End of Form of Notice)

PASSED, ADOPTED, SIGNED AND APPROVED THIS 11th DAY OF  
DECEMBER 2014.



[SEAL]

A handwritten signature in blue ink, appearing to read "Brett Kasten".

Brett Kasten, Chairman  
Board of County Commissioners

Attest:

A handwritten signature in blue ink, appearing to read "Robert Zamarripa".

Robert Zamarripa, County Clerk

Commissioner Hull then moved that the resolution as filed with the County Clerk be passed and adopted. Commissioner Ramo seconded the motion.

The question being upon the passage and adoption of said resolution, the motion was voted upon with the following result:

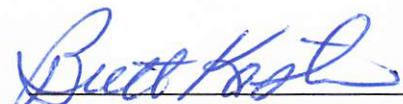
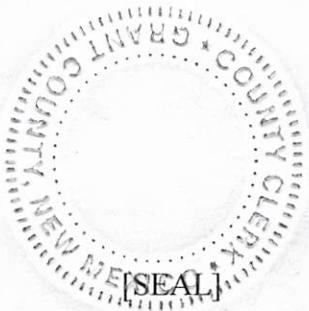
Those Voting Yea: Hull, Ramo, Kasten

Those Voting Nay:   

Those Absent:   

The Chairman thereupon declared that at least a majority of all the members of that Commission having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.

After consideration of matters not relating to this Resolution, the meeting was adjourned.



Brett Kasten, Chairman  
Board of County Commissioners

Attest:



Robert Zamarripa, County Clerk

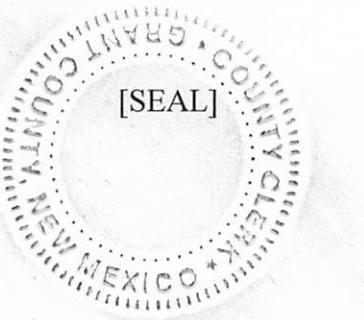
STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF GRANT )

I, Robert Zamarripa, County Clerk of Grant County, New Mexico (the "County"), do hereby certify:

1. The foregoing pages are a true, correct and complete copy of the record of the proceedings of the Board of County Commissioners (the "Board") of the County, taken at a duly called, open meeting of the Commission held in the Commissioners' Chambers of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, being the regular meeting place of the Commission on December 11, 2014, beginning at 9:00 a.m., insofar as the same relate to consideration of the adoption of an ordinance entitled AN ORDINANCE GRANTING A FRANCHISE FOR CABLE SERVICES TO COMCAST OF NEW MEXICO, LLC, a copy of which is set forth in the official records of the proceedings of the County kept in my office. None of the action taken has been rescinded, repealed, or modified.

2. Notice of such meeting was given in compliance with the permitted methods of giving notice of meetings of the Commission as required by the open meetings standards then in effect, i.e., the Commission's Open Meetings Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Grant County, New Mexico, this 11th day of December 2014.



Attest:

Robert Zamarripa  
Robert Zamarripa, County Clerk

**RECORD OF PROCEEDINGS RELATING TO THE ADOPTION OF  
ORDINANCE NO. \_\_\_\_\_ OF THE BOARD OF COUNTY  
COMMISSIONERS OF GRANT COUNTY, NEW MEXICO  
JANUARY 8, 2015**

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF GRANT )

The Board of County Commissioners (the "Board") of Grant County (the "County"), in the State of New Mexico, met in an open regular meeting in conformity with law and the ordinances and rules of the County, in the Commissioners' Chambers of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board, at 9:00 a.m., on Thursday, January 8, 2015, at which time there were present and answering the roll call the following members:

**Commissioners:** Brett Kasten  
Gabriel Ramos  
Ron Hall

### Absent:

Thereupon the following proceedings, among others, were had and taken, to wit:

There was provided to the County Clerk, the Chairman and each Commissioner, a copy of an ordinance in final form, which is as follows:

**GRANT COUNTY, NEW MEXICO  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A FRANCHISE FOR CABLE SERVICES TO  
COMCAST OF NEW MEXICO, LLC**

**WHEREAS**, the Grant County Board of Commissioners (the "Commission") is authorized to provide for the safety, health, and welfare of the inhabitants of Grant County; and

**WHEREAS**, the Commission is authorized to enter Franchise Agreements under NMSA (1978) § 62-1-3; and

**WHEREAS**, the Commission desires to enter a new franchise agreement with Comcast of New Mexico, LLC, through the adoption of this Ordinance; and

**WHEREAS**, the Commission gave proper notice of its intent to consider the present Ordinance in accordance with section 4-37-7 NMSA 1978.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF  
COMMISSIONERS OF GRANT COUNTY, NEW MEXICO THAT:**

The Grant County Manager is hereby authorized and directed to execute the attached Franchise Agreement Between Grant County, New Mexico and Comcast of New Mexico, LLC ("Agreement"). The Agreement shall become effective upon execution of all parties thereto.

**PASSED, APPROVED, AND ADOPTED, this 8th day of January 2015.**

[seal]

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
GRANT COUNTY, NEW MEXICO**

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Brett Kasten, Chairman

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Robert Zamarripa, Clerk

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Gabriel Ramos, Member

---

Ron Hall, Member

Commissioner \_\_\_\_\_ then moved that the ordinance as provided to the County Clerk at this meeting be passed and adopted. Commissioner \_\_\_\_\_ seconded the motion.

The question being upon the passage and adoption of the ordinance, the motion was voted upon with the following result:

Those Voting Yea:

Those Voting Nay:

Those Absent:

The Chairman thereupon declared that at least a majority of all the members of the Board having voted in favor thereof, the motion was carried and the ordinance duly passed and adopted.

The meeting on motion duly made, seconded and unanimously carried, was adjourned.

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Brett Kasten, Chairman

[SEAL]

Attest:

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Robert Zamarripa, County Clerk

STATE OF NEW MEXICO )  
                         ) ss.  
COUNTY OF GRANT     )

I, Robert Zamarripa, County Clerk of Grant County, New Mexico (the "County"), certify:

1. The foregoing pages numbered 1 through 3 constitute a full and correct copy of the record of the proceedings taken by the Board of County Commissioners of the County (the "Board") at a regular meeting thereof held on January 8, 2015, so far as said minutes relate to an ordinance, a copy of which is therein set forth (the "Ordinance"). The Ordinance has been duly authenticated by the signatures of the Board and myself as County Clerk, sealed with the corporate seal of said County, and recorded in my office on January 8, 2015.

2. Notice of such meeting of January 8, 2015, was given by publishing a notice of the Board's intent to hold a regular meeting by publication in the *Silver City Daily Press*. Notice of the meeting was given in compliance with the permitted methods of giving notice of meetings of the Board as required by the open meetings standards then in effect, *i.e.*, the County's Open Meetings Resolution. An affidavit of publication with respect to such notice is attached as Exhibit A.

3. A majority of the members of the Board were present at said meeting, and the members of the Board voted on the passage of the Ordinance as set forth in such record of proceedings.

[seal]

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Robert Zamarripa  
County Clerk

## EXHIBIT A

(Attach Affidavit of Publication of Notice of  
January 8, 2015, Meeting as published  
in the *Silver City Daily Press*)