

**RECORD OF PROCEEDINGS RELATING TO THE ADOPTION OF
RESOLUTION NO. 15-46 OF THE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, NEW MEXICO, REGARDING NOTICE OF INTENT TO
CONSIDER AN ORDINANCE AMENDING THE DEDICATION OF A COUNTY
LOCAL OPTION GROSS RECEIPTS TAX**

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 full conformity with law and the ordinances and rules of the County, in the Commissioners' Chambers in 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, December 10, 2015, at which time there were present and answering the roll call the following members:

Commissioners: **Brett Kasten**
Gabriel Ramos
Ronald 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:

RESOLUTION NO.R-15-46

NOTICE OF INTENT TO CONSIDER AN ORDINANCE

WHEREAS, on March 1, 1990, Grant County adopted Ordinance No. 90-03-01-A, entitled An Ordinance Adopting a County Gross Receipts Tax; and

WHEREAS, Ordinance No. 90-03-01-A was adopted pursuant to NMSA (1978) § 7-20E-9, which permits counties to impose "an excise tax not to exceed a rate of seven-sixteenths percent of gross receipts of any person engaging in business in the county...."; and

WHEREAS, such excise tax may be imposed in three one-eighth percent increments and one one-sixteenth percent increment; and

WHEREAS, with Ordinance No. 90-03-01-A, the county imposed the third one-eighth increment and dedicated the revenues to the Grant County Indigent Fund, which became effective January 1, 1991; and

WHEREAS, the county now desires to consider an ordinance that would amend Ordinance No. 90-03-01-A to change the dedication of the revenues generated from the third one-eighth increment to the Grant County General Fund, as permitted by NMSA (1978) § 7-20E-9.D; and

WHEREAS, in order to consider such 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 NMSA (1978) § 4-37-7.

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

1. That an ordinance, entitled GRANT COUNTY ORDINANCE NO.0-15-07 AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION GROSS RECEIPTS TAX, to be introduced before the Board shall be filed with the County Clerk, and shall be considered by the Board at a regular meeting held on January 14, 2016, at 9:00 a.m. 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.

2. That the following notice of intent shall be published one time in the Silver City Daily Press, a newspaper of general circulation in the County, following the adoption of this resolution:

GRANT COUNTY ORDINANCE NO. 0-15-07

**AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION
GROSS RECEIPTS TAX**

BE IT ORDAINED BY THE GOVERNING BODY OF GRANT COUNTY, NEW MEXICO that Section 4 of Ordinance Number 90-03-01-A, effective January 1, 1991, and imposing one-eighth of one percent of the gross receipts tax is amended to read:

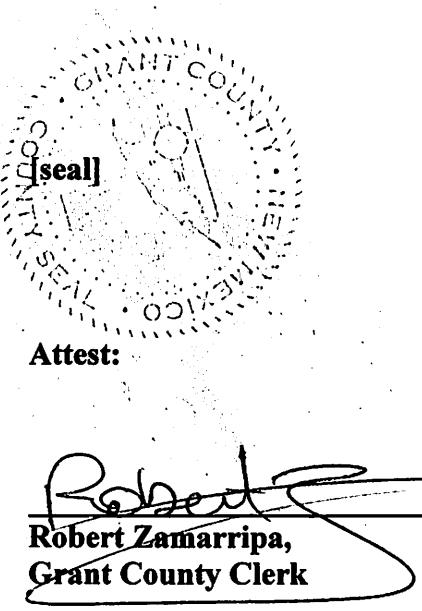
Section 4. Dedication. Revenue from the county gross receipts tax will be used for the purpose listed below:

The Grant County General Fund.

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

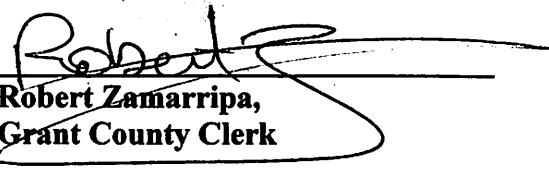
**ADOPTED BY THE GOVERNING BODY OF GRANT COUNTY, NEW MEXICO, THIS
10TH DAY OF DECEMBER 2015.**

[seal]

A circular seal for Grant County, New Mexico. The outer ring contains the text "GRANT COUNTY, NEW MEXICO" and "THE SEAL". The center features a map of the state of New Mexico with the county highlighted in red.

**Brett Kasten, Chairman of the
Board of County Commissioners**

Attest:


A handwritten signature of Robert Zamarripa, which has been crossed out with a large, bold, black 'X'.
**Robert Zamarripa,
Grant County Clerk**

(Form of Notice)

NOTICE OF INTENT TO CONSIDER ORDINANCE NO. [15-07]
GRANT COUNTY, NEW MEXICO

NOTICE IS GIVEN that the Board of County Commissioners, constituting the governing body of the Grant County, New Mexico will consider the adoption of an ordinance (the "Ordinance") entitled: GRANT COUNTY ORDINANCE NO. 0-15-07 AMENDING THE DEDICATION OF A COUNTY LOCAL OPTION GROSS RECEIPTS TAX. The purpose of the ordinance is to amend Grant County Ordinance No. 90-03-01-A, An Ordinance Adopting a County Gross Receipts Tax (adopted March 1, 1990), which imposed an excise tax equal to one-eighth of one percent of the gross receipts reported in Grant County (the third one-eighth increment under NMSA (1978) § 7-20E-9). The amending ordinance would change the dedication of the revenues generated from the third one-eighth increment from the Grant County Indigent Fund to the Grant County General Fund.

The Ordinance will be considered at a regular meeting of the Commission on Thursday, January 14, 2016, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Commissioners' Chambers in the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board.

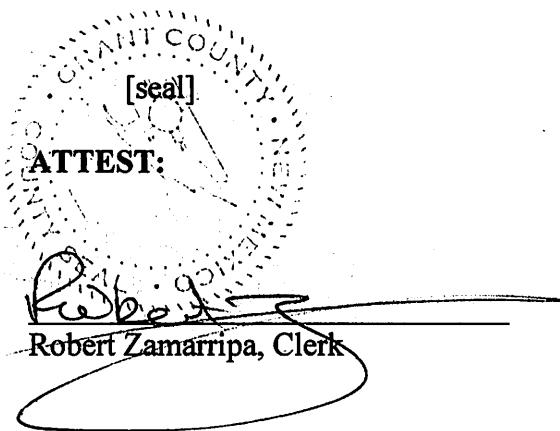
A copy of the Ordinance in draft form is on file and available for inspection during normal business hours at the office of the County Clerk at the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, New Mexico.

DATED: December 10, 2015.

Brett Kasten
Chairman, Board of County
Commissioners
Grant County, New Mexico

(End of Form of Notice)

PASSED, ADOPTED, SIGNED AND APPROVED THIS 10th DAY OF
DECEMBER 2015.



BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, NEW MEXICO


Brett Kasten, Chairman


Gabriel Ramos, Member


Ron Hall, Member

Commissioner Hall then moved that the resolution be passed and adopted. Commissioner Kasten seconded the motion. The question being upon the passage and adoption of said resolution, the motion was voted upon with the following result:

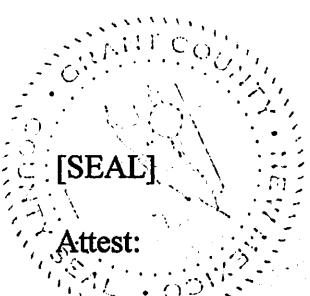
Those Voting Yea: Hall, Kasten

Those Voting Nay: 0

Those Absent: Gabriel Ramos

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

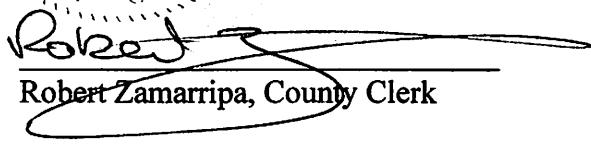


Brett Kasten

Brett Kasten, Chairman
Board of County Commissioners

[SEAL]

Attest:



Robert

Robert Zamarripa, County Clerk

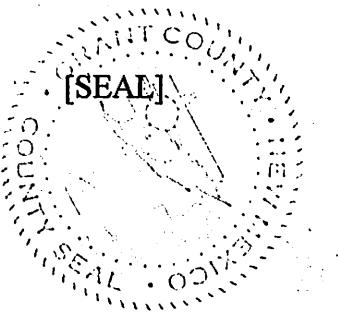
STATE OF NEW MEXICO)
) ss.
COUNTY OF GRANT)

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 in the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, being the regular meeting place of the Commission on Thursday, December 10, 2015, beginning at 9:00 a.m., insofar as the same relate to consideration of the adoption of Grant County Resolution No. 15-46 entitled, NOTICE OF INTENT TO CONSIDER ORDINANCE NO. 0-15-07, a copy of which is set forth in the official records of the proceedings of the County kept in my office.

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 10th day of December 2016.



Attest:

~~Robert Zamarripa, County Clerk~~