

RESOLUTION NO. 15-22

NOTICE OF INTENT TO CONSIDER AN ORDINANCE

WHEREAS, Article X, § 7 of the New Mexico State Constitution provides that a “board of county commissioners by unanimous vote may adopt an ordinance to increase the size of the board[] of county commissioners to five members”; and

WHEREAS, the Board of Grant County Commissioners desires to consider such an ordinance; 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 AN ORDINANCE INCREASING THE SIZE OF THE BOARD OF GRANT COUNTY COMMISSIONERS TO FIVE MEMBERS PURSUANT TO ARTICLE X, SECTION 7 OF THE NEW MEXICO CONSTITUTION, 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 August 27, 2015, at 9:00 a.m. in 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:

**RECORD OF PROCEEDINGS RELATING TO THE ADOPTION OF
RESOLUTION NO. 15-22 OF THE BOARD OF COUNTY COMMISSIONERS OF
GRANT COUNTY, NEW MEXICO, REGARDING INCREASING THE SIZE OF
THE BOARD OF GRANT COUNTY COMMISSIONERS TO FIVE MEMBERS
PURSUANT TO ARTICLE X, SECTION 7 OF THE NEW MEXICO
CONSTITUTION**

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, July 23, 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:

(Form of Notice)

NOTICE OF CONSIDERATION OF ORDINANCE NO. []
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: AN ORDINANCE INCREASING THE SIZE OF THE BOARD OF GRANT COUNTY COMMISSIONERS TO FIVE MEMBERS PURSUANT TO ARTICLE X, SECTION 7 OF THE NEW MEXICO CONSTITUTION. The purpose of the ordinance is to increase the Grant County Board of Commissioners to five members.

The Ordinance will be considered at a regular meeting of the Commission on Thursday, August 27, 2015, 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: July 23, 2015.

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

(End of Form of Notice)

PASSED, ADOPTED, SIGNED AND APPROVED THIS 23rd DAY OF JULY
2015.

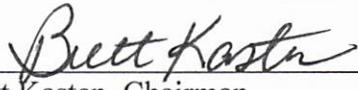


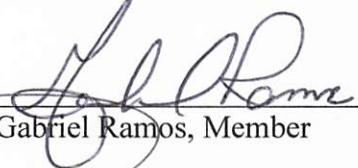
[seal]

ATTEST:


Robert Zamarripa, Clerk

BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, NEW MEXICO


Brett Kasten, Chairman


Gabriel Ramos, Member


Ron Hall, Member

Commissioner _____ then moved that the resolution be passed and adopted. Commissioner _____ 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:

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.

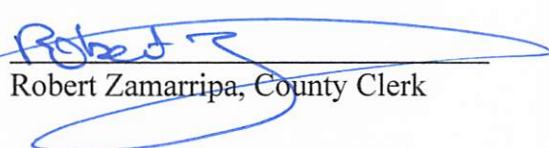
After consideration of matters not relating to the Resolution, the meeting on motion duly made, seconded and unanimously carried, was adjourned.



Brett Kasten, Chairman
Board of County Commissioners

(SEAL)

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 in the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, being the regular meeting place of the Commission on Thursday, July 23, 2015, beginning at 9:00 a.m., insofar as the same relate to consideration of the adoption of Grant County Resolution No. 15-22 entitled, NOTICE OF INTENT TO CONSIDER AN ORDINANCE, 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 23rd day of July 2015.

Attest:

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, REGARDING INCREASING THE SIZE
OF THE BOARD OF GRANT COUNTY COMMISSIONERS TO FIVE
MEMBERS PURSUANT TO ARTICLE X, SECTION 7 OF THE NEW MEXICO
CONSTITUTION**

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 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, August 27, 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 INCREASING THE SIZE OF THE BOARD OF GRANT
COUNTY COMMISSIONERS TO FIVE MEMBERS PURSUANT TO ARTICLE
X, SECTION 7 OF THE NEW MEXICO CONSTITUTION**

WHEREAS, Article X, § 7 of the New Mexico State Constitution provides that a “board of county commissioners by unanimous vote may adopt an ordinance to increase the size of the board[] of county commissioners to five members”; and

WHEREAS, the Board of Grant County Commissioners (“Board”) finds that it is in the best interest of Grant County and its citizens to increase the Board to five members; and

WHEREAS, the Board duly published notice of its intention to consider the present ordinance at least 14 days prior to the present meeting, in accordance with NMSA (1978) § 4-37-7; and

WHEREAS, the Board held an open public hearing on the consideration of the present ordinance at which there was an opportunity for public comment.

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

1. For all elections to the office of County Commissioner of the County of Grant, New Mexico commencing in 2016 and continuing thereafter, the Board of Grant County Commissioners shall be composed of five members, pursuant to Article X, § 7 of the New Mexico State Constitution; and
2. Upon creation of a five-member board, the county shall be divided by the incumbent board of county commissioners into five county commission districts that shall be compact, contiguous and as nearly equal in population as practicable; and
3. One county commissioner shall reside within and be elected from each county commission district.

PASSED, APPROVED, AND ADOPTED, this 27th day of August 2015.

[seal]

ATTEST:

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

Brett Kasten, Chairman

Robert Zamarripa, Clerk

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 the motion was carried and the ordinance was duly passed and adopted by a **unanimous** vote by all the members of the Board;

OR,

The Chairman thereupon declared that the motion was not carried and the ordinance was not duly passed and adopted because there was **not a unanimous** vote by all the members of the Board.

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

Brett Kasten, Chairman

[SEAL]

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"), certify:

1. The foregoing pages numbered 1 through 4 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 August 27, 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 August 27, 2015.

2. Notice of such meeting of August 27, 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]

Robert Zamarripa
County Clerk

EXHIBIT A

(Attach Affidavit of Publication of Notice of
August 27, 2015, Meeting as published
in the *Silver City Daily Press*)