

**GRANT COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. R-23-30**

**A RESOLUTION APPOINTING MEMBERS TO THE GILA REGIONAL MEDICAL  
CENTER GOVERNING BOARD**

**WHEREAS**, the Gila Regional Medical Center (GRMC) is a hospital created, organized, and owned by Grant County and governed by the Board of County Commissioners of Grant County (BOCC or Grant County Commission) pursuant to the New Mexico Hospital Funding Act (HFA). NMSA 1978, Section 4-48B-1 *et seq.*; and

**WHEREAS**, under the HFA, the BOCC possesses powers, both delegable and non-delegable, in order to "provide appropriate and adequate hospital facilities for the sick" of Grant County. NMSA 1978, Sections 4-48B - 2 (A) & 5; and

**WHEREAS**, since GRMC is a county-owned, not for profit hospital and a component unit of the governmental organization of Grant County, New Mexico, GRMC is a local public body and governmental entity organized under the HFA exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations described under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code; and

**WHEREAS**, GRMC is further subject to the statutory requirements applicable to governmental entities including, but not limited to, the Open Meetings Act, the Governmental Conduct Act, and the Inspection of Public Records Act and further enjoys all the attendant protections, limitations, and immunities afforded to New Mexico local public bodies and governmental entities and only as exempted by the New Mexico Tort Claims Act and other applicable state and federal laws; and

**WHEREAS**, the HFA authorizes the BOCC to create a Hospital Governing Board ("Board") made up of five, seven, or nine voting members (NMSA 1978, Section 4-48B-10); and

**WHEREAS**, the HFA further provides that such a Board shall have the power and authority to manage and operate GRMC, including the authority: to receive all funds appropriated or paid to it from any source; to prescribe rules and regulations for admittance of patients to the hospital; and to enter into contracts with the state, another county or counties, the federal government or its agencies, another political subdivision or a public or private corporation, organization or association for the care of the sick of the county (NMSA 1978, Section 4-48B-5 and NMSA 1978, Section 4-48B-10); and

**WHEREAS**, following the appointment of members to the Board, Grant County remains the owner of GRMC and the BOCC retains power to appoint and replace members of the Board,



issue bonds, call mill levy elections, levy annual assessments, sell or lease GRMC property, facilities, and operations, subject to the requirements of the HFA; and

**WHEREAS**, the Board is presently comprised of the five members of the BOCC; and

**WHEREAS**, the BOCC wishes to appoint new members to the Board subject to the requirements of the HFA and the bylaws approved by the current members of the Board.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

A. The BOCC hereby appoints seven members to the Board, which shall have the authority to exercise all powers that the county is granted by the HFA for the operation of GRMC, with the exception of those powers retained by the BOCC under the HFA, other applicable laws, and the GRMC bylaws, including the power to appoint and replace members of the Board, issue bonds, call mill levy elections, levy annual assessments, sell or lease GRMC property, facilities, and operations.

B. Effective July 1, 2023, the hospital governing board appointed herein shall be comprised of seven (7) voting members and one (3) *ex-officio* non-voting members. The *ex-officio* members shall be the Grant County Manager or the designee of that office, provided that the designee must be a department head or a Deputy County Manager, GRMC CEO, and GRMC Chief of Staff. All voting members shall be appointed for staggered terms of three years or less.

C. The Board members are appointed, as follows:

- |    |                           |                                |
|----|---------------------------|--------------------------------|
| 1. | <u>Javier Salas</u>       | July 1, 2023 to June 30, 2024; |
| 2. | <u>Patricia McIntire</u>  | July 1, 2023 to June 30, 2025; |
| 3. | <u>William D. Hawkins</u> | July 1, 2023 to June 30, 2026; |
| 4. | <u>Seth Traeger</u>       | July 1, 2023 to June 30, 2024; |
| 5. | <u>Michael J. Smith</u>   | July 1, 2023 to June 30, 2025  |
| 6. | <u>Fred Fox</u>           | July 1, 2023 to June 30, 2026  |
| 7. | <u>Betty Vega</u>         | July 1, 2023 to June 30, 2026  |

D. Any vacancies shall be filled for the unexpired term by appointment by the BOCC.

E. Upon appointment, the Board shall select from its membership a president and a secretary.

F. The newly appointed members of the Board and any members appointed by the BOCC in the future shall be governed by the by-laws adopted by the current Board.

G. This Resolution supersedes and replaces all prior appointments and formation of a governing board.

H. The provisions of this Resolution shall be subject to all applicable laws, statutes and regulations. To the extent that any provisions contained herein conflicts with any such applicable provision of law, statute, or regulation, the latter shall control.



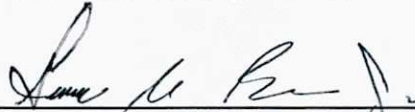
I. Any part or provision of this Resolution which is prohibited or held to be void or unenforceable by a court of competent jurisdiction shall be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provision hereof.

IT IS SO RESOLVED this 11<sup>th</sup> day, of May, 2023.

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



**Chris M. Ponce, Chairman**



**Gerald W. Billings, Jr., Vice Chair**



**Eloy H. Medina, District 2**

**Alicia Edwards, District 3**



**Harry Browne, District 5**



Attest:



**Marisa Castrillo, Clerk**