

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

The Board of County Commissioners (the "Governing Body") of Grant County, New Mexico, met in regular session in full conformity with law and the rules and regulations of the Governing Body, in the Commission Chambers of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico being the meeting place of the Governing Body for the regular meeting held on the 08th day of June, 2023, at the hour of 9:00 a.m. Upon roll call, the following members were found to be present:

Commissioners: [Chris M. Ponce, Chairman]
 [Gerald W. "Billy" Billings, Jr., Vice Chairman]
 [Harry Browne]
 [Alicia Edwards]
 [Eloy H. Medina]

Absent: [None]

Also Present: [Charlene Webb, County Manager]

Thereupon, there was officially filed with the County Clerk a copy of a proposed ordinance in final form.

202302582 B: 285 P: 2582 Pgs: 7 Ordinance
This instrument was recorded on 06/22/2023 02:21:33 PM
Marisa Castrillo, County Clerk, Grant County NM
Deputy - rzamarripa



ORDINANCE NO. O-23-05

**ORDINANCE AMENDING ORDINANCE NO. 12-03 – REPEALING
SUNSET CLAUSE FROM COUNTYWIDE EMERGENCY
COMMUNICATIONS AND EMERGENCY MEDICAL AND
BEHAVIORAL HEALTH SERVICES TAX
TAX INCREMENT**

WHEREAS, Ordinance No. 12-03 was adopted by the Board of County Commissioners of Grant County and approved by a majority of the voters at an election held on September 18, 2012 pursuant to the requirements of the County Local Option Gross Receipts Taxes Act, allowing the imposition of a gross receipts tax increment for the purpose of enhancing emergency communications and emergency medical and behavioral health services in the County;

WHEREAS, Section 6 of Ordinance No. 12-03 provides for the repeal of Ordinance No. 12-03 to occur on December 31, 2023;

WHEREAS, the repeal of Ordinance No. 12-03 will jeopardize the County's ability to effectively provide emergency communications and emergency medical and behavioral health services throughout the County, leaving its residents and visitors with an increased risk of harm and lack of access to critical care, and, therefore, the Board wishes to amend Ordinance No. 12-03 to remove Section 6.

BE IT ORDAINED BY THE GOVERNING BODY OF GRANT COUNTY:

Section 6 of Ordinance No. 12-03 is hereby amended to remove Section 6 in order to prevent its repeal on December 31, 2023. Ordinance No. 12-03 shall remain as follows:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in the county for the privilege of engaging in business in the county an excise tax equal to one-eighth of one percent (.125%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "countywide emergency communications and emergency medical and behavioral health services tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No countywide emergency communications and emergency medical and behavioral health services tax shall be imposed on the gross receipts arising from:

A. Transporting persons or property for hire by railroad, motor vehicle, air

transportation or any other means from one point within the county to another point outside the county; or

8. Direct broadcast satellite services.

Section 4. Dedication. Revenue from the countywide emergency communications and emergency medical and behavioral health services tax shall be dedicated to one or more of the following purposes:

1. Operation of an emergency communications center that has been determined by the Local Government Division of the Department of Finance and Administration to be a consolidated public safety answering point; or
2. Operation of emergency medical services provided by the county; or
3. Behavioral health services.

Section 5. Effective Date. The effective date of the countywide emergency communications and emergency medical services tax shall be January 1, 2013.

~~**Section 6. Delayed Repeal.** Ordinance No. 0-12-03 (if it becomes law) is repealed effective December 31, 2023.~~

[Form of Notice]

**GRANT COUNTY, NEW MEXICO
NOTICE OF CONSIDERATION OF ORDINANCE NO. O-23-05**

NOTICE IS GIVEN that the Board of County Commissioners, constituting the governing body of Grant County, New Mexico will consider the adoption of an ordinance (the "Ordinance") entitled: ORDINANCE AMENDING ORDINANCE NO. 12-03 – REPEALING SUNSET CLAUSE FROM COUNTYWIDE EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL AND BEHAVIORAL HEALTH SERVICES TAX INCREMENT.

The Ordinance may be adopted at a Regular Meeting of the Board on June 8, 2023, at 9:00 a.m., following the opportunity for public input in the Commissions' 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.


By County Resolution No. R-23-31, a special election to occur on August 22, 2023 has been called by the Board of County Commissioners of Grant County for registered and qualified electors to consider and approve the ordinance amendment.

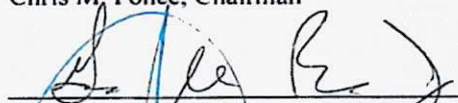
A copy of the Ordinance in draft form is on file and available for inspections during normal business hours at the office of the County Clerk at the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico.

[End of Form of Notice]

ADOPTED AND APPROVED this 08th Day of June, 2023 in Silver City, Grant
County, New Mexico.

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


Chris M. Ponce, Chairman


Gerald W. "Billy" Billings, Jr., Vice Chairman


Alicia Edwards, Commissioner

Eloy H. Medina, Commissioner


Harry Browne, Commissioner

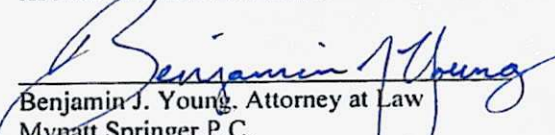
[SEAL]

ATTEST:

By: 
Marisa Castañillo, County Clerk



APPROVED AS TO FORM:


Benjamin J. Young, Attorney at Law
Mynatt Springer P.C.


Commissioner MEDINA then moved that the Ordinance be adopted.

Commissioner EDWARDS seconded the motion.

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


Those Voting Yea: CHAIRMAN Chris Ponce
Vice-Chair Gerald Billings Jr
Commissioner Alicia Edwards
Commissioner Eloy Medina
Commissioner Harry Browne

Those Voting Nay: 

Those Absent: 

The Chairman thereupon declared that five (5) members of the Governing Body having voted in favor of said motion, the motion was carried and the Ordinance duly passed and adopted.

After consideration of matters not relating to the Ordinance, the meeting on motion duly made, seconded and [unanimously] carried, was adjourned. Following adjournment, the Chairman or Vice Chairman, and the County Clerk or Deputy County Clerk, signed the Ordinance, and the Ordinance was recorded in the minutes of the Governing Body and in the records of the County.


Chris M. Ponce, Chairman,
Board of County Commissioners

[SEAL]

Attest



Marisa Casrillo, County Clerk



EXHIBIT "A"

Meeting Agenda
of the June 08, 2023
Board of County Commissioners Meeting

(See attached)

