New Mexico Association of Counties

BOARD
OF
DIRECTORS’
MEETING

January 21, 2014
Santa Fe County
Santa Fe Community Convention Center
Pojoaque/Nambe/Ohkay Owingeh Room
201 W Marcy St.
Santa Fe, NM 87501
NMAC BOARD OF DIRECTORS
2013 – 2015

OFFICERS

PRESIDENT
Wendell Bostwick 1/1/2009
Curry County Commissioner
3468 CR 13
Melrose, NM  88124
575-763-6016 (W)
575-253-4680 (F)
575-799-3835 (C)
wendellbostwick@gmail.com

PRESIDENT ELECT
Paula Garcia 1/1/2011
County Commissioner
PO Box 974
Mora, NM  87732
575-387-5228 (H)
505-429-2621 (C)
paulagarcia0902@gmail.com

VICE PRESIDENT
Sharon Stover 1/1/2013
Los Alamos County Clerk
100 Central Ave., Suite 240
Los Alamos, NM  87544
505-662-8010 (W)
505-672-1706 (H)
505-662-8008 (F)
505-690-4520 (C)
sharon.stover@lacnm.us

PAST PRESIDENT
Vacant

TREASURER
Alvin V. Maestas 1/1/2011
Guadalupe County
Commissioner
1010 Cortez Ave.
Santa Rosa, NM  88435
575-472-3735 (F)
575-512-7059 (C)
avmaestas@hotmail.com

COUNTY DIRECTORS

BERNALILLO COUNTY
Maggie Toulouse Oliver 1/1/2007
County Clerk
One Civic Plaza NW, 6th Fl.
Albuquerque, NM 87102
505-468-1231 (W)
505-468-1297 (F)
505-270-9125 (C)
505-975-2486 (O)
mtoulouse@bernco.gov

CATRON COUNTY
Susan Griffin 1/1/2011
County Assessor
PO Box 416
Reserve, NM 87830
575-533-6577 (W)
575-533-6334 (F)
505-238-7384 (C)
cassessr@gilanet.com

CHAVES COUNTY
James Duffy 1/1/2011
County Commissioner
3787 Cedarvale
Roswell, NM  88203
575-623-4197 (H)
575-626-7246 (C)
jduffey@co.chaves.nm.us

CIBOLA COUNTY
Edward J. Michael 1/1/2011
County Commissioner
515 W High St.
Grants, NM  87020
505-552-6140 (H)
505-269-7144 (C)
bibobarboy@gmail.com

COLFAX COUNTY
Bill Sauble 1/1/2011
County Commissioner
1261 Circle Dot Ranch Rd.,
Maxwell, NM 87728
575-445-9661 (W)
575-375-2686 (H)
575-445-2902 (F)
575-447-2686 (C)
sauble@co.colfax.nm.us

CURRY COUNTY
Matt Murray 1/1/2007
County Sheriff
700 N Main St., Ste. 7
Clovis, NM  88101
575-769-2335 (W)
575-309-3535 (C)
murray@currycounty.org

DE BACA COUNTY
Rosalie A. Gonzales Joiner
County Clerk     1/1/2013
531 Salt Cedar Road
Fort Sumner, NM 88119
575-355-2601 (W)
575-799-2995 (C)
rosaliej@plateautel.net

DOÑA ANA COUNTY
David Gutierrez 1/1/2008
County Treasurer
PO Box 1067
Mesilla, NM 88046
575-647-7433 (W)
575-525-5958 (F)
575-649-9077 (C)
dgutierrez@donaanacounty.org

EDDY COUNTY
Glenn Collier 1/1/2013
County Commissioner
PO Box 53
Artesia, NM 88211
575-746-3770 (H)
575-365-6848 (C)
gcollier@co.eddy.nm.us
GRANT COUNTY
Brett A. Kasten 1/1/2011
County Commissioner
PO Box 100
Bayard, NM 88023
575-537-3313 (W)
575-537-2865 (F)
575-574-8150 (C)
bakasten@grantcountynm.com

GUADALUPE COUNTY
Alvin V. Maestas 1/1/2011
County Commissioner
1010 Cortez Ave.
Santa Rosa, NM 88435
575-472-3735  (F)
575-512-7059  (C)
avmaestas@hotmail.com

HARDING COUNTY
Pete Callahan 1/1/2011
County Assessor
PO Box 1002
Mosquero, NM 87733
575-673-2926 (W)
575-673-2922 (F)
575-447-6060 (C)
arplateautelemail.net

HIDALGO COUNTY
Ed Kerr 1/1/2011
County Commissioner
300 Shakespeare St.
Lordsburg, NM 88045
575-313-2606 (W)
575-548-2497 (H)
575-542-3414 (F)
575-313-2606 (C)
edkerr52@gmail.com

LEA COUNTY
Pat Snipes-Chappelle 1/1/2009
County Clerk
100 N Main St
Lovington, NM 88260
575-396-8622 (W)
575-396-2093 (F)
575-704-2747 (C)
pchappelle@leacounty.net

LINCOLN COUNTY
Rhonda Burrows 1/1/2011
County Clerk
PO Box 338
Carizozo, NM 88301
575-648-2394 x130 (W)
575-648-2576 (F)
575-937-4972 (C)
rburrows@lincolncountynm.net

LOS ALAMOS COUNTY
Sharon Stover 1/1/2013
Los Alamos County Clerk
1000 Central Ave., Suite 240
Los Alamos, NM 87544
505-662-8010 (W)
505-672-1706 (H)
505-662-8008 (F)
505-690-4520 (C)
sharon.stover@lacnm.us

LUNA COUNTY
Dora Madrid 1/1/2009
County Commissioner
PO Box 1758
Deming, NM 88031
575-546-0401 (W)
575-544-4420 (F)
575-543-8581 (C)
dora_madrid@lunacountynm.us

McKINLEY COUNTY
Carol Bowman Musckett 1/1/2011
County Commissioner
PO Box 2596
Gallup, NM 87305
505-722-3868 (W)
505-879-3700 (C)
cbmuskett@gmail.com

MORA COUNTY
Paula Garcia 1/1/2011
County Commissioner
PO Box 974
Mora, NM 87732
575-387-5228 (H)
505-429-2621 (C)
paulagarcia0902@gmail.com

OTERO COUNTY
Cathe Prather 1/1/2013
County Treasurer
1104 N. White Sands Blvd.
Alamogordo, NM 88337
575-439-2681 (W)
575-434-4921 (H)
575-443-2916 (F)
575-921-7781 (C)
cprather@co.otero.nm.us
catetheprather@earthlink.net

QUAY COUNTY
Janie Hoffman 1/1/2007
County Assessor
PO Box 1227
Tucumcari, NM 88401
575-461-1760 (W)
575-403-9045 (H)
575-461-8465 (F)
575-403-8640 (C)
Janiehoffman63@yahoo.com

RIO ARRIBA COUNTY
Alfredo L. Montoya 1/1/2007
County Commissioner
PO Box 856
San Juan Pueblo, NM 87566
505-852-2551 (H)
505-753-2992 (F)
505-929-2014 (C)
alfredolmontoya@hotmail.com

ROOSEVELT COUNTY
Jake Lopez 1/1/2009
County Commissioner
804 N Ave. L
Portales, NM 88130
575-760-2062 (H)
575-760-2033 (C)
jlopez@rooseveltcounty.com

SAN JUAN COUNTY
Clyde Ward 1/1/2011
County Assessor
100 S Oliver Dr., Ste. 400
Aztec, NM 87410
505-334-4214 (W)
505-333-2001 (H)
505-334-1669 (F)
505-320-1423 (C)
cward@sjcounty.net

SAN MIGUEL COUNTY
Elaine A. Estrada 1/1/2007
County Assessor
603 Dalbey Drive
Las Vegas, NM 87701
505-454-1430 (W)
505-454-9625 (F)
505-617-0779 (C)
elaine_estrada@smcounty.net
SANDOVAL COUNTY
Orlando Lucero 1/1/2007
County Commissioner
893 S Hill Rd.
Bernalillo, NM 87004
505-934-3392 (W)
505 867-2226 (H)
505 867-7600 (F)
505-934-3392 (C)
ojlucero@aol.com

SANTA FE
Liz Stefanics 1/1/2009
County Commissioner
PO Box 720
Cerrillos, NM 87010
505-986-6210 (W)
505-699-4808 (C)
lstefanics@santafecountynm.gov

SIERRA COUNTY
Walter C. Armijo 1/1/2007
County Commissioner
HC 31 Box 140
Williamsburg, NM 87942
575-894-6792 (H)
575-894-6792 (F)
575-740-1014 (C)
waltera@windstream.net

SOCORRO COUNTY
Danny Monette 1/1/2009
County Commissioner
PO Box D
Socorro, NM 88081
575-835-1190 (W)
575-838-0026 (H)
575-835-4603 (F)
575-838-7311 (C)
DannyM@MonetteFord.com

TAOS COUNTY
Gabriel J. Romero 1/1/2013
County Commissioner
#105 Albright St., Ste. A
Taos, NM 87571
575-737-6300 (W)
575-741-1634 (H)
575-741-1634 (C)
commgabe@gmail.com

TORRANCE COUNTY
V. Linda M. Jaramillo 1/1/2013
County Clerk
PO Box 617
Estancia, NM 87016
505-246-4735 (W)
505-384-5226 (H)
505-384-4080 (F)
505-948-9623 (C)
ljaramillo@tcnm.us

UNION COUNTY
Van H. Robertson 1/1/2007
County Commissioner
44 Tromperos Rd.
Clayton, NM 88415
575-374-9491 (W)
575-374-9591 (F)
575-403-7011 (C)
vanhrobertson@yahoo.com

VALENCIA COUNTY
Mary J. Andersen 1/1/2011
County Commissioner
PO Box 1119
Los Lunas, NM 87031
505-866-2003 (W)
505-866-4267 (H)
505-264-4416 (C)
andersen4267@msn.com
EX-OFFICIO MEMBERS

PROBATE JUDGE AFFILIATE
Alice Salcido 1/1/2007
Doña Ana County Probate Judge
845 N. Motel Blvd.
Las Cruces, NM 88007
(575) 525-6132  (W)
475-649-3673  (C)
alicere@donanacounty.org

NACo URBAN BOARD
Edward J. Michael 1/1/2011
Cibola County Commissioner
515 W High St.
Grants, NM 87020
505-552-6140  (H)
505-269-7144  (C)
bibobarboy@gmail.com

NACo RURAL BOARD
Janie Hoffman 1/1/2007
Quay County Assessor
PO Box 1227
Tucumcari, NM 88401
575-461-1760  (W)
575-403-9045  (H)
575-461-0513  (F)
575-403-8640  (C)
Janiehoffman63@yahoo.com

NACo BOARD AT-LARGE
Liz Stefanics 1/1/2009
Santa Fe County Commissioner
PO Box 720
Cerrillos, NM 87010
505-986-6210  (W)
505-699-4808  (C)
lstefanics@santafecountynm.gov

MULTI-LINE
Ron Lethgo 1/1/2007
Chaves County Assessor
#1 St. Mary’s Place, Ste. 130
Roswell, NM 88203
575-624-6669  (W)
575-317-2359  (H)
575-624-6647  (F)
575-317-2359  (C)
ronl@co.chaves.nm.us

WORKERS’ COMP.
Robert A. Anaya 1/1/2011
Santa Fe County Commissioner
102 Grant Ave.
Santa Fe, NM 87504
505-986-6200  (W)
505-470-8993  (C)
ranaya@santafecountynm.gov

WIR MEMBER
Walter C. Armijo 1/1/2007
Sierra County Commissioner
HC 31 Box 140
Williamsburg, NM 87942
575-894-6792  (H)
575-894-6792  (F)
575-740-1014  (C)
waltera@windstream.net

WIR MEMBER
Danny Monette 1/1/2009
County Commissioner
PO Box D
Socorro, NM 87801
575-835-1190  (W)
575-838-0026  (H)
575-835-4603  (F)
575-838-7311  (C)
DannyM@MonetteFord.com

EXECUTIVE DIRECTOR
Steve Kopelman 10/2013
NM Association of Counties
444 Galisteo Street
Santa Fe, NM 87501
505-983-2101  (W)
505-469-5584  (C)
skopelman@nmcounties.org
A. Welcome, Call to Order, Roll Call, Pledge of Allegiance, and Salute to New Mexico Flag  
   President Wendell Bostwick

B. Approval of Agenda  
   Wendell Bostwick

C. Approval of Minutes  
   Wendell Bostwick

   1. Board Minutes – October 18, 2013
   2. Executive Committee Minutes – October 17, 2013 & November 21, 2013

D. Presentations  
   Bobby Casados

   1. NMAC Grant Council Report
   2. Forest Service Rule Committee Update
   3. New Technology Creates 9-County Economic Development Opportunity
   4. Re-imposition of Food Tax
   5. Local GRTs on Food Option
   6. Legislative Update

E. Action Items  
   Chief Justice Maes

   1. Authorization to Hire General Counsel
   3. Approval of Affiliate Amended Bylaws
   4. Approval of Legislative Issues
   5. Approval to Support Request to Increase Court Funding and to Obtain Additional Judicial Positions

F. Communications  
   Wendell Bostwick

   1. President’s Report
   2. Executive Director’s Report
   3. NACo Board Member Report
   4. WIR Board Member Report
   5. Workers’ Compensation Report
   7. Forest & Watershed Restoration Committee Update
   8. Tire Recycling Committee Update

G. Matters from the Staff  
   Santiago Chavez

   1. Finance Report
   2. Risk Management Report
   3. Intergovernmental Relations Report
   4. Member Services Director Report

H. Executive Session

I. New Business  
   Steve Kopelman

   1. County Roundtable Discussion
   2. County Audit Accountability Award

J. Old Business

K. Adjournment
New Mexico Association of Counties

Approval of Minutes

Board Minutes
October 18, 2013 Sierra County

Executive Committee Minutes
October 17, 2013 Sierra County
November 21, 2013 Santa Fe County
NEW MEXICO ASSOCIATION OF COUNTIES
BOARD OF DIRECTORS’ MEETING
Sierra County – Elephant Butte Inn
Elephant Butte, New Mexico
Friday, October 18, 2013
8:30 a.m.

MINUTES

OFFICERS
Wendell Bostwick, President
Paula Garcia, President Elect
Sharon Stover, Vice President
Alvin Maestas, Treasurer
Vacant, Past President

EX-OFFICIO MEMBERS
Edward Michael, NACo Urban Board Member
Janie Hoffman, NACo Rural Board Member
Liz Stefanics, NACo Board Member At-Large
Walter Armijo, WIR Board Member
Ron Lethgo, ML Board Member
Robert Anaya, WC Board Member
Alice Salcido, Probate Judge Affiliate

COUNTY BOARD MEMBER
Bernalillo Maggie Toulouse Oliver
(excused)
Catron Susan Griffin
Chaves James Duffey
Cibola Edward Michael
Colfax Bill Sauble
Curry Wendell Bostwick proxy for Matt Murray
DeBaca Rosalie Gonzales
Doña Ana David Gutierrez
Eddy Glenn Collier
Grant Brett Kasten
Guadalupe Alvin Maestas
Harding Pete Callahan
Hidalgo Ed Kerr
Lea Gregg Fulfer (excused)
Lincoln Rhonda Burrows
Los Alamos Sharon Stover

COUNTY BOARD MEMBER
Luna Dora Madrid
McKinley Carol Bowman Muskett
Mora Paula Garcia
Otero Cathe Prather
Quay Janie Hoffman
Rio Arriba Alfredo Montoya (excused)
Roosevelt Jake Lopez
San Juan Clyde Ward
San Miguel Elaine Estrada
Sandoval Orlando Lucero
Santa Fe Liz Stefanics
Sierra Walter Armijo
Socorro Danny Monette
Taos Anna Martinez proxy for Gabriel Romero
Torrance Linda Jaramillo
Union Van Robertson
Valencia Mary Andersen

GUESTS:
Sylvia Sierra, Doña Ana County
Susie Trujillo, Grant County
Scott Annala, Lincoln County
Gloria Rodriguez, Luna County
Chris Barela, Santa Fe County
Mark Huntzinger, Sierra County
Delilah Walsh, Socorro County
Saul Alvidrez, GCC Rio Grande
Hal Stratton, GCC Rio Grande

Brent Earnest, HSD Deputy Secretary
Daniel Ivey-Soto, NM Clerks LLC
Laura McCarthy, Nature Conservancy NM
Brent Racher, NM Forest Industry Assoc.
Welcome, Call to Order, Roll Call, Pledge of Allegiance, and Salute to the New Mexico Flag
President Wendell Bostwick called the New Mexico Association of Counties (NMAC) Board of Directors’ meeting to order at 8:30 a.m. The Pledge of Allegiance and the Salute to the New Mexico State Flag were recited. Roll call was taken and a quorum was established. Sierra County Commissioner Walter Armijo and County Manager Mark Huntzinger welcomed everyone to Sierra County and the City of Elephant Butte and gave a brief history on the county.

Approval of Agenda
Danny Monette moved to approve an amended agenda to include a presentation from Human Services Department (HSD) Deputy Secretary Brent Earnest and a presentation from Daniel Ivey-Soto under action items. Janie Hoffman seconded the motion, which passed unanimously.

Approval of Minutes
Danny Monette moved to approve the August 1-2, 2013 Board Meeting minutes and August 28, 2013 Special Teleconference Board minutes. James Duffey seconded the motion, which passed unanimously.

Janie Hoffman moved to approve the August 1, 2013 and September 18, 2013 Executive Committee meeting minutes. Danny Monette seconded the motion, which passed unanimously.

Presentations
Forest & Watershed Restoration Proposal
Laura McCarthy, Director of Government and Agency Relations for Nature Conservancy New Mexico and Brent Racher, President of NM Forest Industry Association presented a joint proposal between the New Mexico Forest Industry Association, the USDA Forest Service and The Nature Conservancy on wildfire and water source protection in New Mexico. The proposal includes a landscape strategy to meet the scale of severe wildfire of thinning, stream restoration, flood mitigation, and fire management. They stressed the importance of a coordinated, leveraged multi-partner solution through federal appropriations for hazardous fuels reduction, the Water Fund, state Wildfire and Water Source Protection Fund, local/municipal/tribal matching funds, and state investment in wood-processing infrastructure for the low-and no-value biomass. They requested NMAC’s endorsement to their draft joint proposal. A discussion ensued about developing a sustainable infrastructure to address forest maintenance with solutions for healthy forests and ecological watersheds, a concern partnering with Nature Conservancy New Mexico,
reinventing an industry that was decimated 25 years ago, and other problems on federal land. Wendell Bostwick appointed a task force to include Brett Kasten (Chair), Susan Griffin, Rhonda Burrows, Paula Garcia, and Sharon Stover to meet and present a recommendation to the Board at the January meeting.

Tire Recycling
Saul Alvidrez, Plant Manager for Grupo Cementos Chihuahua (GCC) Tijeras cement plant in New Mexico, reported that GCC is seeking to use Tire Derived Fuels (TDF) in replace of coal in cement processing since it has a high heat value and burns cleaner than traditional fuels. He stated that TDF would keep tires out of landfills, reduce stockpiles and illegal dumping, and can help eliminate the potential of tire wildfires. He said that GCC anticipates partnering with local truck services for transportation of the tires, is working with the New Mexico Environment Department on regulatory permitting, and can partner with counties for tire recycling. He noted that a fee would be charged up front and then a percentage of the money made from the tire process is given back to the counties. A discussion ensued about the process of collecting tires from the counties, the need for 1 million tires annually to be effective, and that it will take up to 18-24 months to acquire permits and start the tire recycling process. Wendell Bostwick appointed a committee to include Danny Monette (Chair), Pete Callahan, Bill Sauble, Mary Andersen, and Orlando Lucero to discuss the tire recycling process, how counties can partner with GCC and present their findings at the next Board meeting in January.

Human Services Department
Brent Earnest, Deputy Secretary Human Services Department (HSD), discussed supplemental hospital payments starting January 1, 2014 after the Sole Community Provider Program ends. The program is being replaced in the Centennial Care waiver by a new program, the Safety Net Care Pool, to reduce the workload of county indigent health programs through the expansion of Medicaid and new health insurance coverage options. He explained that the hospital payments will no longer be tied to the amounts contributed by counties, but instead tied more directly to the amount of care provided by those hospitals. Mr. Earnest presented a proposal to redirect a 1/16th tax increment to increase base rates for these hospitals with the balance 1/16th for counties to fund indigent care. He stressed that a consistent, dedicated revenue stream is necessary for HSD to make their payments. He noted that HSD would be working on eligibility suspension and pre-release Medicaid eligibility planning for incarcerated individuals. A discussion ensued about two counties that do not impose the 2nd 1/8 gross receipts tax, how the uncompensated care pool is structured to benefit the smaller hospitals first, but the base rate increase may or may not benefit larger hospitals, having HSD contribute a percentage of county contributions instead of the specific tax increment redirect, providing the counties with an analysis of how many new adults would be covered under Medicaid and removed from the indigent care program, a concern with state taking local money and directing it, and assessing exemptions to Medicaid that will remain in the indigent care program such as Native American populations.

Executive Session
Danny Monette made a motion to go into Executive Session to discuss personnel matters and review the Executive Director job description. Sharon Stover seconded the motion, which passed unanimously. Roll call was taken.
Paula Garcia made a motion to come out of Executive Session where the only matters discussed were personnel matters and no action was taken. James Duffey seconded the motion, which passed unanimously. Roll call was taken.

**Action Items**

**Review of Executive Director Job Description**

Pete Callahan moved to approve the Executive Director job description that was presented to the Board and remove the language referencing statutory requirements. Alvin Maestas seconded the motion, which passed unanimously.

Approval of Executive Director

Danny Monette moved to approve Steve Kopelman as the NMAC Executive Director. Brett Kasten seconded the motion, which passed with one abstention from Curry County.

Brett Kasten made a motion to authorize Wendell Bostwick to sign a contract to hire Steve Kopelman as the Executive Director. Alvin Maestas seconded the motion, which passed with one abstention from Curry County.

Steve Kopelman thanked the Board for selecting him as the new NMAC Executive Director and Paul Gutierrez for his leadership and camaraderie. Daniel Ivey-Soto presented Paul and Steve with a signed copy of the Roberts’ Rules of Order.

Approval of 2014 Meetings Calendar & NMAC Holidays

Kathy Callender presented the 2014 meetings calendar and NMAC holidays. She noted that the Commissioners’ Boot Camp along with a Managers Retreat would be held December 8-10, 2014 in Santa Fe prior to the Advisory Council meeting on December 11, 2014. Newly elected commissioners would be paid for by NMAC and seasoned commissioners would be paid by the county and invited to attend. Danny Monette moved to approve the 2014 meetings calendar and NMAC holidays with the option to include a Managers’ Retreat with the Commissioners Boot Camp December 8-10, 2014. Liz Stefanics seconded the motion, which passed unanimously.

Approval of Travel and Reimbursement Policy

Kathy Callender requested approval of the amended Travel and Reimbursement Policy which clarifies the permissible expenses for members and staff and controls expenses. She noted that travel expenses will be reimbursed with actual receipts and no per diem. She explained that expenses for Western Interstate Region (WIR) representatives, National Association of Counties (NACo) Board members, whether elected or appointed, and NACo Committee Chairs are covered for NACo board meeting and conference travel. Danny Monette moved to approve the amended Travel and Reimbursement Policy replacing per diem with actual receipts for reimbursement. Janie Hoffman seconded the motion, which passed unanimously.

Approval of Conference and Meetings Policy

Kathy Callender requested approval of the amended Conference and Meetings Policy, which incorporates the Travel and Reimbursement Policy. She explained that the policy changes clarify the responsibility of staff and members in attendance at board meetings, conferences, and other NMAC meetings. Added to the policy are restrictions on any political activities by individuals at
any NMAC event. Glenn Collier moved to approve the amended Conference and Meetings Policy and change the wording from members to individuals. Van Robertson seconded the motion, which passed unanimously.

Approval Affiliate Amended Bylaws
Joy Esparsen reviewed the Treasurers’ Affiliate bylaw amendment which includes notifying all members by email simultaneously of any recommendations, appointments, updates, etc., and if the Treasurer or Secretary is absent, the Chair or Vice Chair may designate a temporary person to serve for that meeting. Brett Kasten moved to approve the amended Treasurers’ Affiliate bylaw. Janie Hoffman seconded the motion, which passed unanimously.

Consideration of Support of Local Gross Receipts Tax on Food
Tasia Young did not recommend support of the proposed resolution on local gross receipts tax on food until after the Revenue Stabilization and Taxation Committee meeting on October 22, 2013 and will review it at the next Executive Committee meeting in November. She mentioned that New Mexico Municipal League (NMML) will support legislation to return food to the gross receipts tax base for local gross receipts tax rates. No action taken.

Approval of SCP second 1/8% Resolution
Tasia Young handed out a proposed resolution on the preemption of local authority concerning the HSD proposal to redirect revenue generated by the county local option second 1/8th increment. In the resolution, NMAC opposes any proposal or legislation that would preempt local government authority, by taking from counties the authority to utilize revenues generated by local taxes and requested support of the resolution. Cathe Prather moved to approve the Resolution on Preemption of Local Authority. Bill Sauble seconded the motion. Clyde Ward recommended removing the last whereas paragraphs. Cathe Prather amended the motion to remove the last whereas paragraphs. Bill Sauble seconded the motion, which passed unanimously.

Consideration of Support of Public Lands Renewable Energy Development Act
Paul Gutierrez explained that the Public Lands Renewable Energy Development Act would establish a formula for the distribution of wind and solar lease revenue with 25% going to the state where projects are sited, 25% going to counties, 15% to fund the Department of Interior to process the leases, and 35% deposited in a fund for fish, wildlife, and land conservation. He stated that the New Mexico congressional delegation, NACo, and other state associations have signed on to this legislation and requested Board support. A discussion ensued about 35% of the wind and solar lease revenue goes to counties and only 25% to funds for fish, wildlife, and land conservation. Alvin Maestas moved to approve support of the Public Lands Renewable Energy Development Act with 35% distribution of revenues to counties and 25% to funds for fish, wildlife, and land conservation. Orlando Lucero seconded the motion, which passed unanimously. A discussion ensued about not causing delays on local projects like the SunZia Transmission project.

Approval of Policy Statements
Paul Gutierrez reviewed the amended policy statement book that incorporated Board recommendations since the August meeting and requested Board support. Sharon Stover moved public lands renewable energy development act
to approve the policy book as amended. Janie Hoffman seconded the motion, which passed unanimously.

Four additional policy statement resolutions carried over from the August Board meeting were handed out for consideration. Wendell Bostwick presented the Commissioners’ Affiliate Resolution #1 supporting the continued funding of New Mexico based military installations and national laboratories as a policy statement for consideration. Mary Andersen moved to approve the Commissioners’ Affiliate Resolution #1 supporting the continued funding of New Mexico based military installations and national laboratories as a policy statement, Edward Michael seconded the motion, which passed unanimously.

Wendell Bostwick presented the Commissioners’ Affiliate Resolution #4 supporting policies and funding that address childhood hunger and food insecurity in New Mexico as a policy statement for consideration. Liz Stefanics moved to approve the Commissioners’ Affiliate Resolution #4 supporting policies and funding that address childhood hunger and food insecurity in New Mexico as a policy statement. Sharon Stover seconded the motion, which passed with Chaves and Union counties in opposition.

Paula Garcia presented the Commissioners’ Affiliate Resolution #5 Regulation of Oil and Gas Industry as a policy statement for consideration. She explained that the statement supports local governments in promulgating rules and regulations that protect the health, safety, and welfare of their citizens, supports local ordinances that honor and maintain the rights granted to property owners, and encourages local decision maker collaboration with the oil and gas industry to understand common interests and differences working toward appropriate solutions. Lea County initiated the resolution and the Commissioners’ Affiliate worked to find a balance between the roles of the counties and state, and agreed that the state should not preempt local county authority. She reminded the Board that the original resolution passed at the Commissioners’ Affiliate meeting in June and was tabled at the August Board meeting. A discussion ensued about over regulating an industry and not getting the intended results. Liz Stefanics moved to table the Commissioners’ Affiliate Resolution #5 Regulation of Oil and Gas Industry as a policy statement. Pete Callahan seconded the motion, which passed with 23 in support and 3 in opposition.

Paula Garcia presented the Commissioners’ Affiliate Resolution #6 Personal Property Rights as a policy statement for consideration. James Duffey moved to approve Commissioners’ Affiliate Resolution #6 Personal Property Rights as a policy statement. Ed Kerr seconded the motion, which passed unanimously.

Communications
President’s Report
Wendell Bostwick announced that the Executive Officers will meet with the new Executive Director Steve Kopelman in the near future.

Executive Director’s Report
Steve Kopelman reported that the Board authorized the filing of a writ of superintending control on behalf of all counties to expedite a decision by the New Mexico Supreme Court on the
issuance of same gender marriage licenses. He stated that the New Mexico Supreme Court will hear arguments on October 23, 2013 at 9:00 a.m. in Santa Fe and hopes for a uniform and statewide decision for all clerks sometime in December. Due to the limited seating in the courtroom, NMAC will host a watch party with live video streaming through KOAT-TV. There will also be audio streaming through KUNM radio stations. Since Steve will be at Pool Board meetings, Daniel Ivey-Soto and Grace Philips will be representing NMAC and the counties at the hearing.

Paul Gutierrez thanked the Board and staff for the support he has received over the last six years as the New Mexico Association of Counties (NMAC) Executive Director. He handed out a compilation of accomplishments since 2007 under his direction.

WIR Board Members’ Report
Danny Monette attended the Western Interstate Region (WIR) Payments in Lieu of Taxes (PILT) fly-in in Washington, DC and met with Senators Udall and Heinrich. The New Mexico Senators support PILT and are concerned on how to get funding. Danny, along with Walter Armijo, attended the WIR Fall Board meeting in Grand Junction, Colorado. Topics included discussing the PILT formula, how to secure funding for PILT without changing anything to find a permanent solution, and NACo initiatives on secure rural schools, Affordable Care Act, federal appropriations, immigration reform, farm bill reauthorization, and Map-21 Highway apportionments for 2014. Walter Armijo handed out information on the biological control of weeds.

Workers’ Compensation Report
Steve Kopelman reported that the Workers’ Compensation Pool Board elected Curry County Manager Lance Pyle as Chair, Bernalillo County Risk Management Director Joe Crelier as Vice Chair, and Guadalupe County Finance and Safety Officer Gloria Jean Chavez as Secretary/Treasurer. He mentioned that NMAC Workers’ Compensation Pool was the only pool out of 24 pools managed by the excess carrier to have a decrease in excess insurance rates for renewal.

Multi-Line Report
Ron Lethgo made several announcements: The Multi-Line (ML) and Law Enforcement (LE) Pools received a clean, unqualified opinion on the 2012 financial audits; Luna County Detention Center Director Matt Elwell, Juvenile Justice Services Division Director Sandra Stewart, and Corrections Department Secretary Greg Marcantel were appointed to the Law Enforcement and Detention Administration Committee (LEDAC); The Multi-Line Pool Board is working on the renewal process; Board meetings and a joint retreat with Workers’ Compensation (WC) Pool Board will be held next week in Ruidoso; 28 out of the 33 counties are members in the LE and ML pools and 31 are in the WC pool; the pool is responding to a RFP for Santa Fe and San Juan Counties. A suggestion was made for the pools to consider taking on a health insurance plan.

Matters from the Staff
Finance Report
Santiago Chavez reported that he oversees four financial reports with ML and LE on a calendar year and WC and NMAC on a fiscal year. As of August 31, 2013, NMAC had received 15% of
the year’s income and expended 13% of the budget, that the unaudited statement of financial position shows total liabilities and net assets of $5.5 million as compared to $4.7 million last year, and that investments are earning approximately 3.24% on average. The new building contributed to the increased liabilities and assets over last year. He noted that status of unrealized loss in investments as of end of August 31 have rebounded as of September 30. He explained that the unaired member contributions are the accrual basis accounting of the participation fees that are received each July.

Legislative Report
Cathe Prather reported that Property Tax Division (PTD) is providing the first stage of a list of installment agreements; Otero County had one account that was past due and when the owner sold property, they paid back past taxes to the county besides already installment payments to PTD creating a double payment. This example helps reiterate why the installments should go through the county Treasurers.

Tasia Young gave an update on the 2014 NMAC legislative priorities before interim committees: All seven priorities are scheduled to be heard at the Revenue Stabilization & Tax Policy Committee on Tuesday, October 22. Daniel Ivey-Soto will carry the bill on Notice of Liens and the Medicaid Benefits Suspension priority is scheduled for presentation at the interim Courts, Corrections & Justice Committee on Monday, October 21. Tasia stated that additional pending legislative issues include meetings on funding for indigent hospitals with the Human Services Department and changes to the hold harmless phase-out portion of HB 641.

Risk Management Report
Steve Kopelman had nothing further to report.

Intergovernmental Relations Report
Joy Esparson made several announcements: President Bostwick hosted the 10th Annual Gathering of Counties at the New Mexico State Fair which highlighted county services; a single audit will be conducted on the BLM grants for last year; BLM identified an additional $200,000 for the 2014-2015 grant program and set aside an additional $11,000 to help with the 2014 Wildland Urban Interface Summit (WUI); October 22-24 is the 18th Annual Infrastructure Finance Conference at Isleta Resort & Casino in Albuquerque bringing together key resources for funding infrastructure projects throughout New Mexico; NMAC partnered with New Mexico Association of Commerce and Industry to host 10 regional meetings to introduce the New Mexico Health Care Insurance Exchange (NMHIX) program; NMAC received $150,000 from the NMHIX to provide grants to counties to continue the NMHIX outreach effort; NMAC will provide funding, up to $3,000, for counties to conduct public awareness initiatives during the health care enrollment period that began October 1st; the EMS funding committee met and identified potential sources of funding and the next meeting is scheduled for November 13.

Member Services Report
Kathy Callender announced that the 2014 NMAC Legislative Conference registration opens Tuesday, October 22.
New Business
Report from Counties Re: BOCC Action on NMAC Priorities
Wendell reported that NMAC has received 2014 NMAC support resolutions from 20 counties with 2 more scheduled with their county commission. He reminded the members to send a copy of their resolutions of support to NMAC.

County Roundtable Discussion
Santa Fe County would like NMAC to look at adding health insurance to the insurance pools; Sandoval County would like clarification on the status of land within a municipality or county acquired by tribes or pueblos; Valencia County announced that Mary Andersen was appointed to the NACo Economic Development Committee; Colfax County announced that the Cattle Growers Association said a 60-day comment period would open on the New Mexico Meadow Jumping Mouse and on November 12 in Santa Fe the interim transportation committee will discuss the Southwest Chief railroad over Raton Pass; Grant County would like to see the Board take a position on the Tire Derived Fuels (TDF) and would like NMAC to develop a succession plan incorporating an assistant director position; Quay County encouraged counties to go to the websites to make comments on the Mexican Gray Wolf Proposal at https://federalregister.gov/a/2013-21665 and the delisting of the Lesser Prairie Chicken at https://federalregister.gov/a/2013-21664; the Commissioners’ Affiliate Chair would like to schedule a Commissioners’ Affiliate meeting prior to the 2014 Legislative Conference and Session; Mora County announced that the district court ruled in favor of the San Miguel County Clerk for refusal to sign off on a home rule petition that seeks to force the county to appoint a charter commission to prepare a new charter for the county specifically recognizing a community bill of rights within San Miguel County, that bans the extraction of oil and gas drilling. The Community Environmental Legal Defense Fund group will file an appeal; information on comment periods will be included in the weekly News Brief emails.

Old Business
None

Adjournment
The meeting adjourned at 1:57 p.m.
Minutes – NMAC Executive Committee Meeting
October 17, 2013
Sierra County
Elephant Butte Inn
Elephant Butte, New Mexico
11:00 a.m.

MINUTES

Executive Committee Members
Wendell Bostwick, President
Paula Garcia, President Elect
Sharon Stover, Vice President
Alvin Maestas, Treasurer
Vacant, Past President
Liz Stefanics, District I
Van H. Robertson, District II
Danny Monette, District III
Jake Lopez, District IV
Brett Kasten, District V
James Duffey, District VI (excused)

Staff Present:
Paul Gutierrez, Executive Director
Steve Kopelman, Risk Mgt. Dir. & General Counsel
Joy Esparsen, Intergovernmental Relations Director
Santiago Chavez, Finance Director
Kathy Callender, Member Services Director
Tasia Young, Lobbyist
Tito Chavez, Lobbyist
Susan Mayes, Executive Coordinator

Guests:
Pete Callahan, Harding County

Welcome, Call to Order, Roll Call, Pledge of Allegiance, and Salute to New Mexico Flag
President Wendell Bostwick called the Executive Committee meeting to order at 11:04 a.m. Roll call was taken and a quorum was established. The Pledge of Allegiance and the Salute to the New Mexico State Flag were recited.

Approval of Agenda
Danny Monette made a motion to approve the agenda. Brett Kasten seconded the motion, which passed unanimously.

Communications
President’s Report
Wendell Bostwick made several announcements pertaining to the meeting: the Executive Director position vacancy would be discussed in executive session, an update on the same gender marriage license Supreme Court hearing would be heard under new business, and there would be a discussion on the policy statements presented under action items.

Executive Director’s Report
Paul Gutierrez thanked the Executive Committee and staff for the support he has received over the last six years as the New Mexico Association of Counties (NMAC) Executive Director. He handed out a list of accomplishments since 2007 under his direction. He highlighted the recent partnerships with the Association of Commerce and Industry (ACI) on the New Mexico Health Insurance Exchange (NMHIX) grants for counties and with Taxation and Revenue on County Treasurer issues and the Local Government Division’s efforts to ensure capital outlay projects
flow. Paul announced that the Open House for the new NMAC offices was a success, NMAC is making progress with the Sole Community Provider (SCP) hospital funding options, and NMAC has partnered with New Mexico Municipal League (NMML) on how to address the hold harmless phase out.

Review of Executive Director Job Description
Sharon Stover, along with Paula Garcia and Liz Stefanics, reviewed the executive director job descriptions from other state associations and from NMML in comparison to the existing NMAC executive director job description. They presented a new executive director job description, strengthening the job summary to include external communications and policy discussions which can be revised during the six month executive director review. Danny Monette moved to adopt the new executive director job description as presented. Jake Lopez seconded the motion, which passed unanimously.

Sharon Stover presented a copy of Paul’s professional services agreement (or employment contract) which was originally reviewed by Steve Kopelman as NMAC General Counsel.

Executive Session
Alvin Maestas made a motion to go into Executive Session to discuss personnel matters. Brett Kasten seconded the motion, which passed unanimously. Roll call was taken.

Alvin Maestas made a motion to come out of Executive Session where the only matters discussed were personnel matters and no action was taken. Jake Lopez seconded the motion, which passed unanimously. Roll call was taken.

Action Items for the Full Board
Approval of Executive Director
Paula Garcia moved to authorize Wendell Bostwick to sign a contract with Steve Kopelman as Executive Director with the recommended changes to the professional services agreement to include a review by Grace Philips as NMAC Attorney, inclusion of a six month review period, and request Board approval. Brett Kasten seconded the motion, which passed unanimously.

Approval of 2014 Meetings Calendar & NMAC Holidays
Kathy Callender presented the 2014 meetings calendar and NMAC holidays. She noted that the Commissioners’ Boot Camp along with a Managers Retreat would be held December 8-10, 2014 in Santa Fe prior to the Advisory Council meeting on December 11, 2014. Newly elected commissioners would be paid for by NMAC and seasoned commissioners would be paid by the county and invited to attend. A discussion ensued about the commissioner training done before they are sworn in since they do not have any staff support and other newly elected officers attending the Better Informed Public Officials (BIPO) training in March 2015. Brett Kasten moved to approve the 2014 meetings calendar and NMAC holidays with the option to include a Managers’ Retreat with the Commissioners Boot Camp December 8-10, 2014 and request Board approval. Van Robertson seconded the motion, which passed unanimously.

Approval of Travel and Reimbursement Policy
Kathy Callender requested approval of the amended Travel and Reimbursement Policy which clarifies permissible expenses for members and staff and controls expenses. She noted that travel
expenses will be reimbursed with actual receipts and no per diem. She explained that expenses for Western Interstate Region (WIR) representatives, National Association of Counties (NACo) Board members, whether elected or appointed, and NACo Committee Chairs are covered for NACo board meeting travel. Danny Monette moved to approve the amended Travel and Reimbursement Policy and request Board approval. Alvin Maestas seconded the motion, which passed unanimously.

Approval of Conference and Meetings Policy
Kathy Callender requested approval of the amended Conference and Meetings Policy, which incorporates the Travel and Reimbursement Policy. She explained that the policy changes clarify the responsibility of staff and members in attendance at board meetings, conferences, and other NMAC meetings. Added to the policy was a ban on any political activities by individuals at any NMAC event. Paula Garcia moved to approve the amended Conference and Meetings Policy, change the wording from members to individuals, and request Board approval. Jake Lopez seconded the motion, which passed unanimously.

Approval Affiliate Amended Bylaws
Paul Gutierrez reviewed the Treasurers’ Affiliate bylaw amendment which includes notifying all members by email simultaneously of any recommendations, appointments, updates, etc., and if the Treasurer or Secretary is absent, the Chair or Vice Chair may designate a temporary person to serve in for that meeting. A discussion ensued about Department of Finance Authority (DFA) standards regarding affiliate dues, incorporating a standard dues paying procedure among all affiliates, whether dues should be paid to affiliates when members are already paying NMAC membership dues, the accountability of the dues collected, whether all 21 affiliates are viable as some are more active than others, bylaw autonomy, standardized reporting to NMAC annually, elected officials benefitting from NMAC staff support especially when proposing policy, and recommending resolutions from non-elected affiliates to pass through the Managers affiliate for approval. Danny Monette moved to approve the amended Treasurers’ Affiliate bylaw, to appoint a committee to work on the other affiliate issues and bring back to the Board in the future, and request Board approval. Paula Garcia seconded the motion, which passed unanimously.

Consideration of Support of Local Gross Receipts Tax on Food
Tasia Young reported that selected counties attended the tax policy committee to discuss local gross receipts taxes on food. She noted that NMML has chosen not to go forward with this as a top priority. Tasia did not recommend support of the proposed resolution until after the Revenue Stabilization and Taxation Committee meeting on October 22, 2013 and will review it at the next Executive Committee meeting in November. She explained that NMAC met with NMML and state agencies to discuss incremental changes to HB 641 including: no change in designation of all three new hold harmless local option gross receipts tax (grt) increments as countywide, rather than in the unincorporated area only, removal of the incentive for local governments to do early enactment of the new hold harmless grt authority, before the actual hold harmless phase-out begins, a desire to generally hold everyone harmless, but not to create “windfalls,” and a trade-off between the new authority and the phase-out, such as, if a local government enacts the first of the three 1/8ths, they immediately lose 1/3 of their hold harmless distribution. San Juan County is in favor of putting tax back on food. No action taken.
Approval of SCP second 1/8% Resolution
Tasia Young handed out a proposed resolution on the preemption of local authority concerning the New Mexico Human Services Department (HSD) proposal to redirect revenue generated by the county local option second 1/8th increment. In the resolution, NMAC opposes any proposal or legislation that would preempt local government authority, by taking from counties the authority to utilize revenues generated by local taxes and requested support of the resolution. She stated that the Legislative Finance Committee (LFC) is now involved in the matter. Paula Garcia moved to approve the resolution on Preemption of Local Authority and request Board approval. Van Robertson seconded the motion, which passed unanimously.

Consideration of Support of Public Lands Renewable Energy Development Act
Paul Gutierrez explained that the Public Lands Renewable Energy Development Act would establish a formula for the distribution of wind and solar lease revenue with 25% going to the state where projects are sited, 25% going to counties, 15% to fund the Interior Department to process the leases, and 35% deposited in a fund for fish, wildlife, and land conservation. He stated that the New Mexico congressional delegation, NACo, and other state associations have signed on to this legislation and requested Board support. A discussion ensued about the concern of 35% going to fund fish, wildlife, and land conservation, which is less than the counties share. Brett Kasten moved to approve support of the Public Lands Renewable Energy Development Act and request Board approval. Alvin Maestas seconded the motion, which passed unanimously.

Approval of Policy Statements
Paul Gutierrez reviewed the amended policy statement book that incorporated Board recommendations since the August meeting, the four additional policy statements carried over from the August meeting, and requested Board support. Danny Monette moved to approve the policy book as amended, individually discuss to add or not add the four additional policy statement resolutions, and request Board approval. Liz Stefanics seconded the motion, which passed unanimously.

New Business
Steve Kopelman reported that the Board authorized the filing of a writ of superintending control on behalf of all counties to expedite a decision by the New Mexico Supreme Court on the issuance of same gender marriage licenses. He stated that the New Mexico Supreme Court will hear arguments on October 23, 2013 at 9:00 a.m. in Santa Fe and hopes for a statewide decision for all clerks sometime in December. Due to the limited seating in the courtroom, NMAC will host a watch party with live video streaming through KOAT-TV. There will also be audio streaming through KUNM radio stations. Since Steve will be at Pool Board meetings, Daniel Ivey-Soto and Grace Philips will be representing NMAC and the counties at the hearing.

Old Business
None

Adjournment
Alvin Maestas made a motion to adjourn. Paula Garcia seconded the motion, which passed unanimously. The meeting adjourned at 1:24 p.m.
NMAC EXECUTIVE COMMITTEE MEETING
Thursday, November 21, 2013
New Mexico Association of Counties Office
Santa Fe, New Mexico
12:00 p.m.

MINUTES

Executive Committee Members
Wendell Bostwick, President
Paula Garcia, President Elect
Sharon Stover, Vice President
Vacant, Past President
Alvin Maestas, Treasurer
Liz Stefanics, District I
Van H. Robertson, District II
Danny Monette, District III
James Duffey, District VI
Brett Kasten, District V
Jake Lopez, District IV

Guests:
Jamie Michael, Doña Ana County
Brent Earnest, Human Services Department
Kim Gabaldon, Los Alamos County
Daniel Ivey-Soto, NM Clerks LLC
Liza Gomez, San Juan County
Katherine Miller, Santa Fe County

Welcome, Call to Order, Roll Call, Pledge of Allegiance, and Salute to the New Mexico Flag
President Wendell Bostwick called the Executive Committee meeting to order at 12:16 p.m. Roll
call was taken and a quorum was established. The Pledge of Allegiance and the Salute to the
New Mexico State Flag were recited.

Approval of Agenda
Danny Monette moved to approve the amended agenda. Jake Lopez seconded the motion, which
passed unanimously.

Presentation/Discussion Regarding Payments for Uncompensated Care/Medicaid Base Rate
Increase
Wendell Bostwick reviewed the hospital funding history on the three-to-one match program, the
responsibility of counties regarding indigent care, the dissolution of the sole community
provider program, and the suggestion that the Executive Committee come up with a proposal for
an equitable distribution from counties as a replacement program. Steve Kopelman reported that
the state and hospitals need approximately $45 million to cover the base rate of uncompensated
care. He noted that the challenge would be the method of payments from the counties as they
oppose legislation that would preempt local government authority through the intercept of the 1/8 or 1/16% gross receipts tax (grt), knowing the amount needed to produce enough revenue to cover the base rate, and fixing for one year without knowing the demands of indigent care with the Affordable Care Act. He reiterated that the three-to-one match does not go away and that up to $150 million would come from federal funds. Katherine Miller explained that the federal match comes back to the hospitals in two different ways, that the Medicaid rate will be increased for hospitals, that the state is proposing to intercept the second 1/8% grt which equals approximately $36 million, that the state would need to commit to the balance of approximately $8.6 million, and that fund year 2012 and 2013 are clean historical numbers from the counties. Brent Earnest presented the Human Services Department (HSD) proposal of intercepting county gross receipts taxes to pay for an increase in the hospital base rate for Medicaid and for uncompensated care. He mentioned that the state could contribute approximately $8.6 million since the base rate increase is more than the 1/8% grt intercept that the HSD initially proposed. He stated that HSD wants a dedicated revenue stream to fund hospitals.

A discussion ensued about disproportionate share hospital allotments, upper payment limits comparing Medicaid and Medicare, increasing the base rate model, not imposing a statewide 1/8% grt to fund the program, the conflict between counties on introducing a food tax, the federal problems of the hospital bed tax, alternatives to intercepting the local tax by dedicating an amount set aside in the county treasury to contribute to the state with the presumption there is still local control, HSD wanting a dedicated revenue stream, handling those counties not participating in the program, proposing equitable and fair contributions and returns, changing the uncompensated care pool distribution is nonnegotiable, and suggesting to meet with the Hospital Association. A recommendation was made to set up the contributions as voluntary to preserve local authority, to create a fair and equitable formula, to have counties pledge the 1/16% grt amount to cover the base rate increase and allow counties to take care of the uncompensated care pool voluntarily, to find out if counties can afford the 1/8% grt amount since 1/6% is not enough to cover the base rate increase, and to have NMAC staff poll each county on budgeted numbers for hospital funding and whether they are amenable to a mill levy option without an election.

Executive Director Update
Steve Kopelman reported that he has served for one month as the Executive Director and represented NMAC at several meetings and events: pool board meetings and retreat in Ruidoso, reinsurance meetings in San Francisco for the Multi-Line Pool renewal, New Mexico Finance Authority (NMFA) board meetings, Governor Martinez’s press conference proposing 60% of capital outlay to go to water projects, Water Trust Board meetings, Bernalillo County criminal justice meeting reviewing the 250 days it takes to hear cases, LEDAC retreat with the sheriffs and detention administrators, a Valencia County claims settlement, and meetings with the Executive officers. Also, he is meeting with individual senior staff to review departmental structures. He announced that NMAC will be interviewing for two open positions: Receptionist/Constituent Services Assistant and Risk Management Director.

Action Items
Review & Direction Regarding Affiliates/Advisory Council
Sharon Stover led a discussion on the affiliate structure and legislative process regarding consistency when affiliates meet, collection of dues, and accountability of how affiliate funds are
spent. Suggestions were made to establish requirements on standardized billing and collection of dues, establish procedures on financial policies and process, move affiliate meetings earlier in the year to allow more time for reviewing other affiliate resolutions after the annual conference, form a legislative committee with the Executive Committee, Managers, and elected affiliate chairs to initiate the process earlier, whether it is appropriate for non-elected affiliates to bring forward legislative issues without going through the county manager, consider the logistic challenge to provide enough meeting rooms for all 21 affiliates during conferences, continue the partnership with NM EDGE educational classes, work toward meetings on subject matter rather than by affiliate, and consider the business partner access to affiliates. No action was taken.

Consider Reducing the Number of 2014 Executive Committee Meetings
Steve Kopelman proposed canceling a few of the executive committee meetings that are duplicative of the board meetings. A discussion ensued about the executive committee vetting controversial issues first before going to the Board, the NMAC bylaws state that the Executive Committee is authorized to meet in between Board meetings as necessary, making the Executive Committee meetings optional, presentations being applicable to every county, logistically the meeting would need to be reserved and canceled within a reasonable amount of time due to contracts with hotels, how much easier it is to add a meeting than cancel one, the option to have teleconference calls, and adding only controversial issues to the Executive Committee agendas. No action was taken.

Proposal Regarding EMS Funding
Paula Garcia proposed legislation to review a revenue stream for EMS funding. She discussed her interest in finding a new revenue stream to fund a variety of services, doing a statewide assessment of the needs of how the money could be used, and possibly requesting funding for the assessment out of the Fire Fund reversion. The State Fire Marshal and Fire & Emergency Managers Affiliate will present the proposal to the State Fire Council for buy in and noted that the Governor’s office is interested. A discussion ensued about the loss of hold harmless and using a tax to help fund EMS, prior year proposals to tap into the $18 million that is currently being reverted from the Fire Fund to the General Fund, and requested that the Executive Committee support the concept to fund an EMS assessment from the fire fighter reversion fund. Sharon Stover moved to support seeking funding for an EMS assessment from the Fire Fund reversion and take to the State Fire Council. Brett Kasten seconded the motion, which passed unanimously.

Review and Discuss New Mexico Municipal League (NMML) 2014 Legislative Priorities
The Executive Committee reviewed and decided to support the following NMML legislative resolutions with the exception on 2) Local Gross Receipts Taxes on Food:

1. Amendments to the Hold Harmless Gross Receipts Tax – (Policy Statement – Section 3.2.05 – State Shared Revenues)

2. Local Gross Receipts Taxes on Food – (Resolution 2013-35)
   Steve Kopelman reviewed. Some push back from counties. See it as a tax increase on the poor. To put the tax back on food and reduce the state tax rate which replaces the hold harmless distribution. (The Executive Committee decided to wait to hear the NMML presentation before making a decision.)
3. **State Tax Policy and Its Effect on Local Governments** – (Resolution 2013-21)

4. **2014 Bond Issue for Libraries** – (Resolution 2013-12)

Review and Discuss New Mexico Association of Counties (NMAC) 2014 Legislative Priorities

1. **Property Tax Equity** – Provide for a more equitable, transparent, and understandable property tax system (Assessors)

2. **Real Property Sales Disclosure** - Provide for the disclosure of sales data for all real property, (includes non-residential but not agricultural land or subsurface rights on mineral deeds) (Assessors)

3. **Notice of Liens** - Require liens to contain language that notice of the lien was sent to the property owner prior to filing the lien (Clerks)

4. **Medicaid Benefits Suspension** - Support suspension of Medicaid benefits in lieu of termination, during incarceration in county detention facilities (Commissioners)

5. **County Correctional Facility Gross Receipts Tax** - Increase existing county local option gross receipts tax for county correctional facilities (Detention Administrators and Commissioners)

6. **Delinquent Property Tax Payments** - Amend state law to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and have been placed on installment agreements (Treasurers)

7. **Delinquent Property Tax List** - Clarify the responsibility of County Treasurers and the Property Tax Division, so that if a delinquent property does not appear on the most recent delinquent property tax list, that property reverts back to the County Treasurer for collection, and the penalty and interest collected are distributed to the county. (Treasurers)

8. **Other NMAC Legislation**
   a. Hold Harmless
   b. Resolution on Preemption of Local Authority

A discussion ensued regarding the protocol for the joint meeting with NMML.

New Business
Tasia Young reported that five of the NMAC priorities had been drafted, that Daniel Ivey-Soto will take the lead on the Notice of Liens bill, that NMAC is negotiating a non-legislative solution to Medicaid benefits for detainees, and that counties are requesting to increase the county detention funding over $3.3 million.

A suggestion was made to look at the number of emails sent to counties from NMAC on a weekly basis. Wendell Bostwick discussed the Executive Director evaluation process: Board members to receive the evaluation form in April, completed forms sent to the Vice President for
summation to be shared with the Executive Committee and Board in May, and then shared with
the Executive Director during the Executive Session of the June Board meeting.

Old Business

Executive Session
None

Adjournment
James Duffey made a motion to adjourn. Alvin Maestas seconded the motion, which passed
unanimously. The meeting adjourned at 4:28 p.m.
Presentations

1. NMAC Grant Council Report
2. Forest Service Rule Committee Update
3. New Technology Creates 9-County Economic Development Opportunity
4. Re-imposition of Food Tax
5. Local GRTs on Food Option
6. Legislative Update
Norma Jean Valdez, Chair  
Fire Service 32 years (civilian)  
Accreditation Manager with the Los Alamos Fire Department  
Appointed by: NM Public Regulation Commission  
NM Fire Protection Grant Council member since 2007

Mike Cherry, Vice Chair  
Fire Service 32 years  
Retired, Tucumcari Fire Department  
Appointed by: Governor’s Office to represent the 3rd Congressional District  
NM Fire Protection Grant Council member since 2012

Lloyd Payne, Member  
Fire Service 5 years; Sheriff’s Office 8 years; Public Safety - NM Crime & Public Safety Planning Commission; NM Adult Jail Standards Commission and others  
Probate Judge, Hidalgo County  
Appointed by: NM Public Regulation Commission  
NM Fire Protection Grant Council member since 2012

James Salas, Member  
Fire Service 28 years  
Retired Fire Chief, Roswell Fire Department  
Appointed by: NM Municipal League  
NM Fire Protection Grant Council member since 2009

Robert Casados, Member  
Fire Service 31 years  
Fire Chief, Rosebud Fire Department (7 years)  
Appointed by: NM Association of Counties  
NM Fire Protection Grant Council member since 2009

Kenny Holcomb, Member  
Fire Service 19 years  
Captain, Albuquerque Fire Department  
Appointed by: Governor’s Office to represent the 1st Congressional District  
NM Fire Protection Grant Council member since 2012

Vacant  
Appointed by: Governor’s Office to represent the 2nd Congressional District
New Mexico Fire Protection Grant Council

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<th>Distribution Year</th>
<th>Grant Amount Distributed</th>
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<td>2008</td>
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<td>Class A Pumpers, Generators</td>
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<td>2009</td>
<td>3,188,909.85</td>
<td>SCBAs, Respiratory Protection</td>
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<td>2010</td>
<td>2,577,771.50</td>
<td>Personal Protective Equipment, Thermal Imagers</td>
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<td>2011</td>
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<td>Water Tankers, Station expansion</td>
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<td>2012</td>
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<td>Water Storage Units, Training Facilities</td>
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<td>Structural FF equipment, Quick Attack Units</td>
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<td>2014</td>
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<td>Compressors, Rescue Equipment</td>
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<td>TOTAL</td>
<td>$20,433,225.85</td>
<td>Communication Eqpt., Urban interface units</td>
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Grants Awarded by County

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<th>Grants Awarded</th>
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TOTAL GRANTS AWARDED: 278
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<th>Awarded</th>
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<td>Berrendo</td>
<td>SCBA's</td>
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<td>Milan</td>
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<td>Laguna</td>
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<td>Raton</td>
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<td>Fort Sumner</td>
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<td>Jal</td>
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<td>Luna</td>
<td>Cook's Peak</td>
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<td>Mora</td>
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<td>Bard-Endee</td>
<td>Tanker</td>
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<td>Brazos Canyon</td>
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<tr>
<td>County</td>
<td>Department</td>
<td>Funded Project</td>
<td>Awarded</td>
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$4,503,675.84
NEW MEXICO STATE FIRE MARSHAL'S OFFICE
A DIVISION OF THE
NEW MEXICO PUBLIC REGULATION COMMISSION

JOHN STANDEFER
STATE FIRE MARSHAL

NEW MEXICO STATE FIRE MARSHAL'S OFFICE

- Fire Code Enforcement Bureau – Deputy Fire Marshal John Ludi
- Fire Investigations Bureau – Deputy Fire Marshal Randal Arnold
- Fire Service Support Bureau – Deputy Fire Marshal Vernon Muller
- Firefighters Training Academy Bureau – Deputy Fire Marshal Reyes Romero

NEW MEXICO

- Fifth Largest State In the Union
  Spanning 121,593 Square Miles

- Population of 2.1 Million

- 361 Municipal & County Fire Departments.

HISTORY

- 1923 - New Mexico State Firemen's Association (NMSFA) Created.
  Its primary mission was to improve the state's fire service and begin legislative coordination.
HISTORY

- 1955 - The position of State Fire Marshal was created.
- The Superintendent of Insurance (R.F. Apodaca) to Serve as State Fire Marshal.
- John Woodall was appointed Deputy State Fire Marshal.
- The designation of State Fire Marshal would change in the Mid 1980's.
- The Key Priority for the State Fire Marshal and the Firemen's Association was funding.

HISTORY

- All other monies received from fees, licenses, penalties and taxes from all other insurance business would go to the insurance receipts fund and then monthly to the general fund.
- All incorporated Cities, Towns, and Villages were eligible for the funds. The Fire Marshal must consider and determine the relative needs of each and certify to the State Treasurer the amounts to be distributed, not to exceed the total fire fund.
- 75% of the State Fire Marshal's Budget would come from the Fund.
- The First State-Wide Distribution was $2,500.00

HISTORY

- 1959 - The Fire Protection Fund Act was passed by the Legislature.
- Monies came from Fees, Licenses, Penalties, and Taxes, imposed on those insurance agents selling vehicle and fire insurance.
  - Filing Applications
  - Certificates of Authorities
  - Charter Documents
  - Annual Statements
- 0.9% Tax on Premiums (Today - 3%)

HISTORY

- Ratings Ranged from Class 10 (No Protection) to Class 1 (Best Protection)
HISTORY

• Distribution Formula included credit for Main Stations & Sub Stations

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<th>Class</th>
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<td>$10,625</td>
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HISTORY

• 1971 – The Legislature enacted the first increase in the distribution since adopting the formula.
  • ISO Class 6 Example:
    1967 – Funding for The Main Station: $17,813
    1971 – Funding for Municipal Main Station: $33,133
    1971 – Funding for County Main Station: $29,063

HISTORY

• Funding had expanded to include County Fire Districts, but at a lesser amount per classification.
• Departments still had to submit needs and be reviewed in order to receive the maximum amounts.
• Amounts could now only be increased with legislative action.
• Unused monies would now revert to the General Fund.

HISTORY

• 1977 – Rules Established within the State Administrative Code to govern the use of Fire Funds and the qualifications of new Fire Departments.
  • Major capital outlay expenditures to be approved by the Fire Marshal
  • Specifications of apparatus to be approved
  • Apparatus to be tested per Underwriters Laboratories
  • Apparatus to meet NFPA Standards
  • Listing of allowable equipment purchases
  • Listing of allowable operating expenses
  • Listing of allowable training expenses
  • State and local purchasing laws to apply
  • Penalties for misuse of Fire Protection Fund monies.
HISTORY

- 1982 – Legislature increases distribution formula by approximately 5%
- Legislature approves $100,000.00 for PRO RATA distribution to new Fire Departments.

HISTORY

- 1989 – Legislature approves increase in distribution base amount.
- ISO Class 6 Example: $36,499
- County distribution is matched to Municipality.
- Approximately 45% of the Fire Fund is reverting to the General Fund.
- The New Mexico Firefighters Training Academy opens and 75% of its operating budget of $1.2 Million comes from the Fire Protection fund.

HISTORY

- 1983 – Volunteer Firefighter Retirement Act goes into effect. $500,000.00 is contributed annually from the Fire Protection to the retirement fund.

HISTORY

- 1995 – Fire service organizes to address funding inadequacy.
- Only 11% increase in 13 years
- Equipment and Apparatus costs rose 65%
- Repair Costs rose 40%
- Insurance premiums rose 70%
- 54% of the Fire Fund is now reverting to the General Fund.
- 1997 – Bill introduced to increase funding base by 40%, but fails.
HISTORY

- ISO Class 6 Example $41,007
- New formula established for 2000 that allows the use of the greater of the base or ½ of the increase in the fund each year, less half of the Volunteer Firefighter Retirement contribution.
- Thus, if fund grows the fire departments saw an automatic increase in distribution amounts.
- Approximately half of the Fire Fund would always convert to the General Fund.
- Amount contributed to the Volunteer Firefighter Retirement Fund increased to $750,000.00.
- Loan Intercept program begins with the New Mexico Finance Authority.

HISTORY

- 2003
  Fire Service Council is Created
  - New Mexico State Firefighter's Association
  - New Mexico Fire Chief's Association
  - New Mexico Fire Marshal's Association
  - New Mexico Chapter of the IAAI
  - County Fire & Emergency Manager's Affiliate
  - New Mexico Professional Firefighter's Association
  - Southeastern New Mexico Firefighter's Association
  - Enchanted Circle Regional Fire Protection Association
  - Top Priority – Increased funding for departments

HISTORY

- Firefighting qualification system for structural firefighters.
- Multiple main stations are allowed (Definition Included)
- Administration Buildings can qualify for funding.
- Class 10 Departments may be removed from funding after 3 years and confirmation of inactive status.

HISTORY

- 2003 Cont'd
  - Albuquerque Journal expose on poor conditions of Rural Fire Departments.
  - Local CBS Affiliate Expose by Investigative Reporter.
  - Resolutions by the Public Regulation Commission, New Mexico Association of Counties, and the New Mexico Municipal League.
HISTORY
2004
• Legislation approved allocating $250,000.00 to the Fire Marshal to prepare a study for the Legislative Finance Committee to prove the cost effectiveness of the Fire Departments and justify 100% of the fund.
• Hired two temporary staff to audit all class 10 & 9 Departments (Over 240)

2005
• Study and audit is completed and presented to the LFC.

HISTORY
• Fire Protection Grant Fund Created (Class 9 & 10)
• Amount Reverting to the General Fund will now go to the grant fund in increasing amounts over the next 10 years. (10% each year)
• ISO Class 6 Example: $58, 584
• Technical error in the bill requires the Governor to line item veto the provisions for transferring monies to the grant fund. Creation of the grant fund is left intact and Governor leaves $2 Million in HB 2 to compensate.

HISTORY
• 2005
  LFC continues to review the Study.
  Decision to introduce legislation supported by Senate President Pro Tempore and Speaker of the House.
  HB 497 – 20% increase to the minimum base amount.
  Total increase in the fund each year to be credited to the distribution formula.

• 2007
  Return to the Legislature for the fix.
  HB 466 – Corrects the Technical Error.
  Amended in a compromise that phases in reversion amount over 15 years, at 6.7% Per Year.
  $50,000 Survivor Benefit Act passes. Funded by the Fire Protection Fund and firefighter prestige license plates
• 2009
  Legislature freezes FY 10 distribution of Grant Fund at 13.4%
• 2010 Legislature freezes FY 11 distribution of Grant Fund at 13.4 %

• Legislation to change distribution qualifications, including Native American fire departments fails

FIRE PROTECTION FUND HISTORICAL DISTRIBUTIONS

• 1955: $2,500.00
• 1985: $7,451,670.00
• 1990: $10,198,339.00
• 1995: $12,062,204.00
• 2000: $15,694,349.00
• 2005: $23,734,312.00
• 2010: $43,170,899.00

• 2011 Legislature freezes FY 12 distribution of Grant Fund at 13.4 %

• Legislation to change distribution qualifications, including Native American fire departments and jurisdictional lines fails

• 2012 Legislature freezes FY 13 distribution of Grant Fund at 13.4 %

• FY 14 distribution of Grant Fund calculated at 20.1 %

FY 2014 FUNDING DATA

• 368 Fire Departments
• 99 Municipal
• 269 County
• 548 Main Stations
• 138 Substations
• 44 Administration Buildings
• Distributions to Fire Departments: $43,170,847.00
• SFMO Budgets: $3,813,900,0000.00
• Volunteer Firefighter Retirement Fund: $750,000.00
• Survivor Benefit Fund: $0
• Fire Protection Grant Fund: $4,607,536.00
• PRC Administrative Budget: $553,300.00

Total Fire Service Distribution: $52,895,583.00
Total Reversion to the General Fund: $18,315,530.00
Planning Rule Advisory Committee Presents Recommendations to Forest Service
Committee’s efforts help ensure new rule meets public’s expectations.

WASHINGTON, Nov. 21, 2013 – A first-of-its-kind independent advisory committee presented its recommendations for the implementation of the U.S. Forest Service’s 2012 Planning Rule to U.S. Department of Agriculture Deputy Undersecretary Robert Bonnie and Forest Service Chief Tom Tidwell today, recommending strengthened collaboration, improved planning efficiencies and more effective and informed decision making.

The Planning Rule Federal Advisory Committee (FACA) also made recommendations that strengthen ecological, social, economic and cultural sustainability objectives of the rule. This includes recommendations intended to deepen the level of stakeholder collaboration in forest planning, as well as recommendations regarding outreach, adaptive management, monitoring, wilderness, climate change, intergovernmental relations, species protection, and water resources.

The committee, formed in January 2012, advises the Secretary of Agriculture through the Chief of the Forest Service by providing advice and recommendations on the new rule and its directives. The proposed planning directives guide implementation of the planning rule which was published in the Federal Register in April 2012, and became effective a month later.

“The members of this committee collectively bring to the table a vast amount of knowledge, passion and interest in our national forests and grasslands,” said Bonnie. “We thank this diverse group of members for their hard work in rolling up their sleeves up to provide us recommendations on the 2012 Planning Rule. This committee further illustrates our commitment to an open and transparent planning rule and process for implementation.

“This committee worked long and hard through a host of difficult issues to present us with these recommendations to help us manage our public lands for the greatest good,” Tidwell said. “The recommendations reinforce the importance of this Planning Rule and the role our national forests serve for the American public – whether that be through recreation, clean water or supporting local economies.”

The committee is comprised of 21 members with varied backgrounds, who represent the full range of public interests in management of the National Forest System lands and who also represent geographically diverse locations and communities.

All FACA meetings are open to the public, and all proceedings and relevant documents are posted online. The agency’s planning rule website has the latest information on the committee, the planning rule and its directives.

The mission of the U.S. Forest Service, part of the U.S. Department of Agriculture, is to sustain the health, diversity and productivity of the nation's forests and grasslands to meet the needs of present and future generations. The agency manages 193 million acres of public land, provides assistance to state and private landowners, and maintains the largest forestry research organization in the world. Public lands the Forest Service manages contribute more than $13 billion to the economy each year through visitor spending alone. Those same lands provide 20 percent of the nation's clean water supply, a value estimated at $7.2 billion per year. The agency
has either a direct or indirect role in stewardship of about 80 percent of the 850 million forested acres within the U.S., of which 100 million acres are urban forests where most Americans live.

#

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Monitoring and Adaptive Management: Ensure continuous adaptive management cycles (assessment, planning, implementation, monitoring) in a collaborative, transparent, and accountable process.

NEPA Integration: Ensure that the National Environmental Policy Act (NEPA) is effectively and efficiently integrated into the forest planning process and that members of the public have the opportunity to engage early in the planning process.

Outreach For Diversity; Public Involvement And Collaboration: Encourage and ensure a greater awareness and involvement of local communities and under-represented communities (youth, low-income, and racial/ethnic minority) in national forest planning and management.

Intergovernmental Interaction: Emphasize that other federal agencies, and tribal, state and local governments are key to developing robust forest and grassland plans that meet social, cultural, economic and ecological needs. Accessing the special expertise possessed by the other governments also assists to stretch limited government resources to increase effectiveness, efficiency and transparency in forest and grassland planning.

Social, Economic and Cultural Assessment, Plan Components and Monitoring: To achieve the necessary parity between the Forest Service’s ecological expertise, greater clarity must be provided to ensure that the Forest Service will assess, plan for, monitor and adaptively manage social, economic and cultural questions that are important to those who rely on the forest and use the plan area and will put these priorities on par with ecological assessment at every stage.

Water: Provide clear direction to Forest Service personnel to consider water resource contributions to community and ecosystem needs and services within the area of influence in collaboration and consultation with tribal, state, local governments, other water managers and the public during Forest and Grassland Planning.

Wilderness: Chapter 70 (Wilderness) received careful scrutiny that resulted in a number of clarifications and assurances with respect to participation, scope and consistency with the Wilderness Act and other applicable laws, including those guiding Tribal Consultation. Clarifications include the use of existing information/starting point; whether, when and how state and local governments, tribes and Alaska Native Corporations, and the general public can participate in the Wilderness evaluation process.

Climate Change: Ensure that the Forest Service can efficiently and effectively address climate change and associated uncertainty within the planning process.

Desired Conditions and Natural Range of Variation (NRV): Both terms were defined to improve clarity. Ensure forests understand that managing for NRV is not required by the planning rule, and that forests can manage for desired conditions outside the NRV.

Species Of Conservation Concern (SCC): The draft directives are ambiguous as to when, how, and under what process, identified SCCs become determined SCCs. Efficiency and efficacy would be greatly enhanced by 1) clarifying the timing of SCC identification, 2) stressing the regional forester SCC determination be made early, clarifying the role of responsible officials and regional foresters in SCC identification and determination; 3) directing the regional forester to provide public access to the list of determined SCCs, and (4) encouraging that the expertise of local, state and Tribal agency expertise is utilized in identifying SCC.

Objections Process- Authentic participation is valued deeply by the committee. Protecting such interests gave rise to the desire to ensure that eligibility requirements for interested parties are anchored in substantive participation in the planning process. Additionally, ensuring that the reviewing officer has discretion to structure participation to ensure integrity of objections process through an enhanced equity of participation in planning process.
NEW TECHNOLOGY CREATES
9-COUNTY ECONOMIC DEVELOPMENT OPPORTUNITY

Background Information
For Presentation to the
New Mexico Association of Counties

By: Cort Chalfant
Vice-President
Coast Range Investments

January 21, 2014
BACKGROUND

At least 9-counties are expected to directly benefit from the economic development opportunity described herein. These benefits occur in varying degrees but take two major forms: jobs and tax revenue.

The counties determined to benefit directly are outlined with a red dashed line below.

In addition, the State of New Mexico is expected to receive a long-term economic windfall and a new, centrally located, rail-served business park and logistics center that can become an engine of future economic activity much like Santa Teresa is in Dona Ana County.
The proposed business park and rail-served logistics center is located within a planned mixed-use real estate project known as Rancho Cielo in the City of Belen. Rancho Cielo is located at the intersection of Interstate-25 and the BNSF transcontinental rail line in Valencia County.

Coast Range Investments is the developer of Rancho Cielo. Over the course of the past 7-months it has been working with three different potential “seed tenants” for the rail-served business park it proposes to anchor its long-term mixed use development.

All three prospective “seed tenants” – not coincidentally – are in the same business. Specifically, their business focuses on the transport of oil from places of production to refineries, usually on the gulf coast or west coast of the United States. Their method of transport is either truck, pipeline or rail.

In this case, the method of transport is by truck from an area generally centered near Counselor on Route 550 in San Juan County to ideally, the closest rail head or refinery.

For the past 4-years oil production in the San Juan Basin has averaged about 6,500 bbls/day and oil has been either trucked to a rail trans load facility in Thoreau or to the small refinery in Gallup. Currently, both “off-take” locations (Thoreau and Gallup) are at full capacity and expansion is problematic.
NEW TECHNOLOGY CREATES ECONOMIC DEVELOPMENT OPPORTUNITY

Over the past 24-months, the application of new technology has dramatically increased the prospect for increasing oil production in the San Juan Basin.

First, new sub-surface modeling techniques have been deployed to re-evaluate oil reserves that are thought to be economically recoverable in the San Juan Basin. As a result of this new analysis, the consensus estimate for potential oil production in the San Juan Basin has increased dramatically.

Second, two companies in particular, Encana and WPX, have recently introduced horizontal drilling technology to the San Juan Basin and their initial production results have been very strong. Published data for initial production of four horizontal wells completed in August 2013 by WPX, for example, increased San Juan Basin oil production by almost 3,000 bbls/day, or 46% by themselves.

The substantial increase in sub-surface oil deposit estimates and the actual production results by Encana and WPX is attracting increased attention from other producers and suppliers including the three logistics operators that Coast Range has been dealing with.

It has also induced Encana, WPX and others to want to make substantial capital investments to serve increased oil production in the San Juan Basin.

For example, in November, 2013, Encana published a report to its investors indicating that they wanted to invest “$350 - $450 million in the San Juan Basin in 2014” and that they believe their landholdings are “capable of producing 50,000 bbls/day”. Likewise, WPX has indicated a desire to invest about $200 million in new San Juan Basin wells in 2014.

A CAPACITY CONSTRAINT MUST BE SOLVED

As indicated above, new producers want to invest a lot of capital in San Juan and Sandoval Counties in 2014 – a welcome circumstance given that employment and tax revenues in these counties have been hit hard by the drop in natural gas prices.

However, there is the problem of “off-take” capacity. As previously mentioned Thoreau and Gallup are currently at full capacity, and while with the passage of time, constraints at these locations could theoretically be solved with expanded facilities there is a general lack of confidence in the industry that expansions at these locations could timely occur.

THE CAPACITY CONSTRAINT SOLUTION: RANCHO CIELO LOGISTICS CENTER

Rancho Cielo is privately owned, which means we can make decisions and move at the speed of business.

Rancho Cielo provides a shorter trucking distance (approx. 145-miles) than either Thoreau (approx. 168-miles) or Gallup (approx. 200-miles) and is approachable by far better and safer roads (Route 550 & I-25 versus Route 371).
In addition, by establishing a major logistics hub within the Albuquerque metropolitan area, New Mexico maximizes its opportunity to market to the widest possible range of other businesses that need access to a large and diverse workforce, major interstate corridor and transcontinental rail line.

<table>
<thead>
<tr>
<th>Site</th>
<th>Miles of Travel Lanes (Ea. Way)</th>
<th>Rd. Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thoreau</td>
<td>20 50 65 70</td>
<td>Poor - Good</td>
</tr>
<tr>
<td>Alt. 1</td>
<td>21 64 0 0</td>
<td>2.33</td>
</tr>
<tr>
<td>Alt. 2</td>
<td>0 100 68 0</td>
<td>3.05</td>
</tr>
<tr>
<td>Gallup</td>
<td>21 64 33 0</td>
<td>Poor - Good</td>
</tr>
<tr>
<td>Alt. 1</td>
<td>21 64 33 0</td>
<td>2.84</td>
</tr>
<tr>
<td>Alt. 2</td>
<td>0 100 101 0</td>
<td>3.55</td>
</tr>
<tr>
<td>Rancho Cielo</td>
<td>0 0 125 20</td>
<td>Fair - Excellent</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY
CAPITAL OUTLAY ALLOCATION REQUEST

By Coast Range Investments
For

Rancho Cielo
(5,400-Ac.)

Albuquerque
(28-miles)

BNSF
(Main Line Rail)

BNSF
(Service Yard)

October 2013

Cort Chalfant
Vice President
Coast Range Investments

6501 Americas Parkway NE, Suite 1075   Albuquerque, NM  87110       (505) 872-0482       cchalfant@cr-invests.com
**WHAT:**

Coast Range Investments, in cooperation with the City of Belen, is requesting Capital Outlay allocations from the State of New Mexico to help fund public infrastructure that is needed to launch a large-scale, rail-served logistics center within its Rancho Cielo project and to address long-term water and wastewater planning needs in the City of Belen.

As a result of the public infrastructure improvements, a seed tenant would acquire a sizeable parcel within the logistics center, invest millions of dollars to expand its New Mexico operations, and create economic development opportunities throughout the Albuquerque metropolitan area and beyond.

Economic development benefits include meaningful job creation, substantial tax revenue increases for state and local governments, and a “coattail effect” that would likely cause additional businesses to expand operations in Rancho Cielo, Belen, and the State of New Mexico.

Based on preliminary, Phase I infrastructure cost estimates of nearly $29 million, Coast Range is seeking a $5 million Capital Outlay allocation for each of 3-years for on-site and off-site public improvements. Capital Outlay allocations will be more-than-matched by private investments and the entire Capital Outlay is expected to be offset by new tax revenues within a year of each successive annual investment.

**WHY THE URGENCY:**

The lead tenant is a mid-stream oil company doing business in the San Juan Basin. According to this and other industry experts, existing rail facilities serving the San Juan Basin are currently operating at full capacity and the lack of “off-take” is dampening increases in production that would occur if more rail capacity existed.

The lead tenant can choose to invest anywhere in the world but currently desires to invest in Rancho Cielo. They want new, scalable rail facilities open as soon as possible in order to increase service to the San Juan Basin. From their perspective, time is of the essence.

In addition, the State of New Mexico needs economic development and job creation. With two “users in tow” (Coast Range and the seed tenant are both prepared to invest millions of dollars) New Mexico has the potential to gain immediately from the domestic oil boom. For example, North Dakota is the #1 state in the country for job creation as a result of the oil boom¹ and New Mexico can take a page out of their book.

Similarly, Dr. Thomas Clifford, Secretary of Finance and Administration for the State of New Mexico, has concluded that every 10,000 barrel increase in New Mexico oil production generates $47.5 million in state and local taxes, royalties and bonuses.² In addition to these direct cash payments, the state receives millions more from taxes on labor and capital used as factors of production as well as the myriad of induced multiplier effects.

Given New Mexico’s well-documented need for job creation, evidence that the Capital Outlay request would be entirely repaid with new tax revenue in short order, and the fact that worldwide competition requires decisive action, we would hope others support this project and share our sense of urgency.

---

¹ Forbes, States that Lead and Lag in Job Growth and Competitiveness, 4/2/13.
² “Oil and Gas Industry Contribution to State and Local Revenues”, Presentation to Annual Meeting of the IPANM, August 9, 2013.
WHAT WOULD CAPITAL OUTLAY MONEY BE USED FOR:
Capital Outlay expenditures would be more than matched by private investment to install roads, water, sewer, electric, gas and rail connections that are needed to create permanent access/service to the lead tenant’s property.

Coast Range will pay for completing the North Belen, I-25 interchange and non-public infrastructure such as rail switching and “dry utilities”. Capital Outlay funds would be used to help pay for public “spine” infrastructure such as access roads, municipal sewer and water system improvements, and customarily imposed fees and taxes.

Fortunately, some of the offsite municipal sewer and water system improvements can be phased over later years. Pushing these improvements into a second or third year has the benefit of allowing time for the City of Belen and Coast Range to jointly plan water and sewer system upgrades in a way that optimizes investment dollars while addressing some of the larger planning needs of the city.

WHY THIS REQUEST IS GOOD FOR NEW MEXICO:
The seed tenant creates the incentive for Coast Range to risk considerable capital to launch its vision of a master planned community anchored by a new, state-of-the-art business campus and rail-served logistics center. If delivered as envisioned, the logistics center and business campus would allow New Mexico to recruit new businesses that utilize the BNSF Class I rail system much like the Santa Teressa facility in the southern area of the state is attracting new businesses that utilize the Union Pacific Class I rail system.

Coast Range is proposing Capital Outlay allocations that are tied to actual performance, not speculative development. We do not expect Capital Outlay allocations to be funded unless the seed tenant closes on its land purchase, invests in its new facilities as planned, and Coast Range likewise invests in interchange, rail and other major infrastructure improvements.

While the launch of the logistics center and business campus are expected to attract (and expand) many new businesses to New Mexico over time, incremental tax revenues generated by the lead tenant alone are expected to quickly repay the entire Capital Outlay allocation requested. In addition to the short-term payback, expanded operations in the San Juan Basin would add millions of dollars annually to state and local tax revenues for many, many years to come.

For every $1 of public investment requested, at least another $1 of private capital is also invested in our local economy. In other words, public dollars are being leveraged to deliver at least twice the impact from direct investment.

Most importantly, good, high-paying jobs will be created in sizeable numbers and wealth will be generated for New Mexico as a whole. We have retained the services of Dr. Peach, Regents Professor of Economics and International Business at New Mexico State University and the Arrowhead Center to objectively estimate the number and types of jobs that can be expected but, there is no doubt that scores of engineers, technicians, equipment operators, financial and administrative staffing positions will be created as a result of the lead tenant’s initial expansion plans. Accordingly, even more jobs will be created in the future if/as more businesses take advantage of the scalable rail-served resources that Rancho Cielo uniquely offers.
New Mexico Association of Counties

Action Items
1. Authorization to Hire General Counsel
3. Approval of Affiliate Amended Bylaws
4. Approval of Legislative Issues
5. Approval to Support Request to Increase Court Funding and to Obtain Additional Judicial Positions
## Claim Litigation Expense Analysis

### ML Litigation Expenses by Claim Type 2005 - 2012

<table>
<thead>
<tr>
<th>ML Claim Type</th>
<th>Total Paid</th>
<th>% of Total Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-Title VII</td>
<td>$2,412,019</td>
<td>25%</td>
</tr>
<tr>
<td>CR-Employment Related</td>
<td>$1,520,565</td>
<td>16%</td>
</tr>
<tr>
<td>GL-Bodily Injury</td>
<td>$1,051,102</td>
<td>11%</td>
</tr>
<tr>
<td>GL- BI and PD</td>
<td>$801,445</td>
<td>8%</td>
</tr>
<tr>
<td>CR-Sexual Harassment</td>
<td>$748,622</td>
<td>8%</td>
</tr>
<tr>
<td>AU-3rd Party</td>
<td>$730,172</td>
<td>8%</td>
</tr>
<tr>
<td>IJ-Injunctive Relief</td>
<td>$624,721</td>
<td>6%</td>
</tr>
<tr>
<td>CR-Constitutional Depr.</td>
<td>$420,023</td>
<td>4%</td>
</tr>
<tr>
<td>GL-Errors &amp; Omission</td>
<td>$372,240</td>
<td>4%</td>
</tr>
<tr>
<td>GL-Property</td>
<td>$351,250</td>
<td>4%</td>
</tr>
<tr>
<td>LU-Land Use</td>
<td>$261,528</td>
<td>3%</td>
</tr>
<tr>
<td>CR-Non-Employment</td>
<td>$248,330</td>
<td>3%</td>
</tr>
<tr>
<td>AU-1st Party</td>
<td>$119,109</td>
<td>1%</td>
</tr>
<tr>
<td>PR-All Risk</td>
<td>$46,449</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,707,575</strong></td>
<td><strong>100%</strong></td>
</tr>
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</table>

### LE Litigation Expenses by Claim Type 2007 - 2012

<table>
<thead>
<tr>
<th>LE Claim Type</th>
<th>Total Paid</th>
<th>% of Total Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to Protect</td>
<td>$2,372,318</td>
<td>17%</td>
</tr>
<tr>
<td>False Arrest</td>
<td>$2,347,812</td>
<td>17%</td>
</tr>
<tr>
<td>Use of Force</td>
<td>$2,298,955</td>
<td>17%</td>
</tr>
<tr>
<td>Medical Treatment Inadequate</td>
<td>$2,103,748</td>
<td>15%</td>
</tr>
<tr>
<td>Breach of Duty</td>
<td>$1,804,417</td>
<td>13%</td>
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<tr>
<td>Due Process</td>
<td>$1,622,873</td>
<td>12%</td>
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<tr>
<td>Sexual Misconduct</td>
<td>$829,583</td>
<td>6%</td>
</tr>
<tr>
<td>False Imprisonment</td>
<td>$382,640</td>
<td>3%</td>
</tr>
<tr>
<td>Vehicle Pursuits</td>
<td>$6,853</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$13,769,199</strong></td>
<td><strong>100%</strong></td>
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</tbody>
</table>

### Top 5 ML Litigation Expenses by Claim Type

- **CR-Title VII**: 25%
- **GL-Bodily Injury**: 11%
- **CR-Employment Related**: 16%
- **CR-Sexual Harassment**: 8%
- **GL- BI and PD**: 8%

### Top 5 LE Litigation Expenses by Claim Type

- **False Arrest**: 17%
- **Failure to Protect**: 17%
- **Use of Force**: 17%
- **Medical Treatment Inadequate**: 15%
- **Breach of Duty**: 13%
### Attorney Fees Paid by Fund Year

<table>
<thead>
<tr>
<th>Fund Year</th>
<th>ML Attorney Fees Paid</th>
<th>LE Attorney Fees Paid</th>
<th>Total Attorney Fees Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>$930,601</td>
<td>$669,987</td>
<td>$1,600,588</td>
</tr>
<tr>
<td>2004</td>
<td>$831,660</td>
<td>$335,997</td>
<td>$1,167,657</td>
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<tr>
<td>2005</td>
<td>$931,054</td>
<td>$487,521</td>
<td>$1,418,575</td>
</tr>
<tr>
<td>2006</td>
<td>$1,022,171</td>
<td>$901,534</td>
<td>$1,923,706</td>
</tr>
<tr>
<td>2007</td>
<td>$1,029,571</td>
<td>$1,220,072</td>
<td>$2,249,643</td>
</tr>
<tr>
<td>2008</td>
<td>$1,141,749</td>
<td>$1,635,794</td>
<td>$3,777,542</td>
</tr>
<tr>
<td>2009</td>
<td>$1,327,584</td>
<td>$2,171,711</td>
<td>$3,499,295</td>
</tr>
<tr>
<td>2010</td>
<td>$1,502,852</td>
<td>$2,502,657</td>
<td>$4,005,509</td>
</tr>
<tr>
<td>2011</td>
<td>$1,846,113</td>
<td>$2,653,002</td>
<td>$4,499,114</td>
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<td>2012</td>
<td>$2,189,806</td>
<td>$3,502,182</td>
<td>$5,691,987</td>
</tr>
<tr>
<td>2013 YTD</td>
<td>$1,842,912</td>
<td>$2,250,697</td>
<td>$4,093,609</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$14,596,070</td>
<td>$18,331,155</td>
<td>$32,927,225</td>
</tr>
</tbody>
</table>

### Attorney Fees by Fund Year

![Bar Chart](chart.png)

- **Fund Year:** 2003 to 2013 YTD
- **Legend:** Multi-Line (ML), Law Enforcement (LE)

As of 09/30/2013
NEW MEXICO

ASSOCIATION OF COUNTIES

ASSESSORS
AFFILIATE BYLAWS

Adopted by
NMAC
Board of Directors
# NMAC ASSESSORS AFFILIATE BYLAWS
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<td>Amendments and Revision</td>
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</tr>
<tr>
<td>Article X</td>
<td>Dissolution</td>
<td>7</td>
</tr>
<tr>
<td>Article X</td>
<td>Effective Date</td>
<td>7</td>
</tr>
</tbody>
</table>
Article I
Name

The name of this Affiliate shall be:

NEW MEXICO ASSOCIATION OF COUNTIES’ ASSESSORS AFFILIATE

Article II
Objectives

The objectives of this New Mexico Association of Counties Assessors Affiliate are:

~Section 1 – To formulate and present legislative resolutions and proposals to the New Mexico Association of Counties (NMAC) Board of Directors and to assist the Board of Directors and NMAC staff in promoting and monitoring legislation that will be beneficial to the counties.

~Section 2 – To secure harmony of action in working toward common goals among counties, officials, and affiliates in this state in matters that affect the rights and liabilities of counties, and to use subject matter expertise of affiliate members to assist the NMAC Board of Directors and staff in working toward common goals among counties.

~Section 3 – To coordinate educational activities among the membership by:
   A. Collecting, compiling and distributing information;
   B. Promoting educational opportunities through conferences and workshops, particularly addressing the concerns of this affiliate; and
   C. Doing any and all other things necessary and proper for the benefit of the counties of this state that conform to the policies and procedures of the NMAC Board of Directors.

~Section 4 – To [insert specialized affiliate objective, if any]

Article III
Parliamentary Rules

~Section 1 – Rules of Order
All questions of parliamentary practice shall be decided according to the latest edition of Robert's Rules of Order Newly Revised in all cases to which they are applicable and in which cases they are not inconsistent with these bylaws or the NMAC bylaws.

~Section 2 – Open Meetings
NMAC Affiliate meetings shall be open to all NMAC members.
~ **Section 3** – Voting
Each county shall have no more than one vote regardless of the number of affiliate members from the county. Only members in good standing who are present for the vote shall have voting privileges. No proxy voting is permitted. When more than one member of a county are present, the voting members of the counties shall caucus to determine their county's vote. All issues are decided by a majority vote of the counties present at the time of the vote.

~ **Section 4** – Executive Session
The Assessors Affiliate may go into Executive Session on a vote of the counties present at a duly called meeting, stating with particularity the matters to be discussed in Executive Session. Attendance at an Executive Session is restricted to regular voting members of the Assessors Affiliate. A majority of those voting members present may vote to allow others to attend the Executive Session as appropriate. Executive Session may be used for discussion only. All votes shall take place in the open meeting.

~ **Section 5** – Electronic Meetings
The Assessors Affiliate may meet telephonically or by other electronic means, provided such meetings are conducted via a technology that allows all participants to speak and to hear each other in synchronous communication.

~ **Section 6** – Quorum
For business to be conducted, a majority of members in good standing with voting rights must be present at a duly called meeting of the Assessors Affiliate.

**Article IV  
Membership**

~ **Section 1** – Membership
Membership in the Assessors Affiliate shall be limited to county elected officials currently serving and employees employed in the affiliate office of member counties in good standing with the affiliate and NMAC. Counties in good standing with NMAC that have not paid their affiliate dues by September 1st of a calendar year shall not have the right to vote until dues have been paid. A delinquent County’s voting rights are immediately restored upon payment of dues.

[insert additional affiliate specific requirements for members, if any]

~ **Section 2** – Dues
Member counties shall pay dues to the affiliate, not to exceed $150.00, on a yearly basis for their affiliate membership, which will be due on or before August 1st of each calendar year. The Assessors Affiliate Secretary/Treasurer or Treasurer will send an invoice to each county no later than July 1st of each calendar year. Annual dues shall be established in the Affiliate Bylaws or in the Affiliate’s Rules by a majority vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.
~ Section 3 – Associate Membership
Any former member of the Assessors Affiliate may become an associate member. An associate member must be sponsored by an affiliate member in good standing and be approved by a majority of the members who are present at the meeting. Associate members are entitled to all privileges of full membership except that they shall not have voting rights or the right to hold office. Annual dues, which shall not exceed $100 for associate members, shall be established by the Assessors Affiliate in accordance with the Affiliate Bylaws or Rules by a vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.

[insert additional affiliate specific requirements for associate members, if any]

~ Section 4 – Sustaining Business Memberships
Sustaining business memberships shall be available to NMAC Sustaining Members that are interested in supporting the aims and purposes of the Affiliate. Sustaining business members are entitled to all privileges of full membership except that they shall not have voting rights or the right to hold office. A sustaining business member must be sponsored by an affiliate member in good standing and be approved by a majority of the members who are present at the meeting. Annual dues, which shall not exceed $100 for sustaining business members, shall be established by the Assessors Affiliate in accordance with the Affiliate Bylaws or Rules by a vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.

[insert additional affiliate specific requirements for sustaining business members, if any]

Article V
Officers

~ Section 1 – Officers
The affiliate officers shall be a Chair, Vice-Chair, Secretary and Treasurer (or Secretary/Treasurer). The Chair and Vice Chair shall be elected, and the Secretary and Treasurer may be elected or appointed by the Chair. To be eligible for an officer position the candidate shall be an active member of the affiliate. In addition, the Chair and Vice-Chair of an elected affiliate must also be a current or former elected official or Chief Deputy.

~ Section 2 – Duties
A. Duties of Chair:
   a. Plan, prepare, and conduct meetings at each conference and any workshops, training sessions, or other programs for the affiliate;
   b. Serve on the Advisory Council;
c. Present resolutions and legislative proposals adopted by the affiliate to the NMAC Board of Directors;
d. Maintain financial records, attendance records and minutes and cause same to be filed with NMAC;
e. Appoint committees as appropriate; and
f. Perform other duties as assigned by the NMAC Board of Directors
g. [insert additional duties of the Chair, if any]

B. Duties of the Vice-Chair
   a. Act as Chair in his or her absence;
b. Assist Chair with his or her duties; and
c. Perform other duties as assigned by the Chair.
d. [insert additional duties of the Vice-Chair, if any]

C. Duties of the Secretary
   a. Maintain the official records of the affiliate;
b. Keep minutes;
c. Take attendance;
d. Provide draft minutes of the Annual and Legislative Conferences and other regular or special meetings to the affiliate members and NMAC within 45 days of the conclusion of each meeting, and provide final approved minutes to NMAC office within 45 days of approval by the affiliate;
e. Provide notice to NMAC of affiliate meetings at least 15 days prior to each meeting;
f. Act as Chair of a duly called meeting in the absence of both the Chair and the Vice Chair for the purposes of electing a temporary Chair to preside over that meeting; and
g. Perform other duties as assigned by the Chair.
h. [insert additional duties of the Secretary, if any]

D. Duties of the Treasurer
   a. Maintain financial accounts and records;
b. Bill and collect dues from members as required;
c. Pay bills approved by the officers;
d. Provide a financial report to the affiliate members at the Annual and Legislative Conferences and other regular or special meetings;
e. Provide a financial report to NMAC within 45 days of the conclusion of the Legislative and Annual Conferences; and
f. Perform other duties as assigned by the Chair.
g. [insert additional duties of the Treasurer, if any]

*** Note an affiliate may combine the duties of the Secretary and Treasurer

~ Section 3 – Vacancy
If the position of affiliate Chair becomes vacant, the vice-chair will become the Chair of that affiliate. If the position of affiliate Vice-Chair becomes vacant, a new Vice-Chair will
be elected by the membership of that affiliate at its next meeting. If the offices of Chair and Vice-Chair are both vacant, the Secretary shall call a meeting of the Affiliate for the purpose of electing new officers.

Section 4 – Removal
Officers may be removed, with or without cause, by a vote of two-thirds of the counties present at any duly called affiliate meeting.

Article VI
Committees

The Assessors Affiliate may establish standing and ad hoc committees as it deems appropriate. NMAC shall be notified of any active committees.

A. Executive Committee
   a. The Executive Committee shall consist of the chairman, vice chairman, and three executive board members. The chairman of any standing or ad hoc committees. The chairman shall chair the executive committee. The Secretary and Treasurer are ex-officio members of this committee and have no voting privileges.
   b. The committee shall meet at the discretion of the chairman or if requested, by a majority of the committee.
   c. The Executive Committee shall develop goals, meeting agendas, propose amendments to the bylaws and give direction to the general membership that is related to the operation of this organization and the assessment profession.
   d. The three members of the Executive Board will be assigned one of the following committees: agricultural, legislative or GIS.

B. Standing Educational Committee
   a. The Vice Chair shall chair the educational committee and Upon appointment by the affiliate chair, the chair of the education committee may appoint a secretary for the committee. Affiliate members in good standing may volunteer to serve on this committee.
   b. The educational committee is responsible for implementing educational workshops and schooling that will benefit the affiliate members and to notify the membership of any new training that may become available.
   c. The committee chair will report quarterly to the membership.

C. Standing Agricultural Committee
   a. An Executive Board member shall chair the agricultural committee and Upon appointment by the affiliate chair, the chair of the agricultural committee may appoint a secretary for the committee. Affiliate members in good standing may volunteer to serve on this committee.
   b. The committee will research and report on topics of concern raised by the affiliate membership during the course of the year and maintain a working
relationship with the New Mexico Livestock Board.
c. The committee chair will report quarterly to the membership.

D. **Standing** Legislative and Regulations Committee
   
a. **An Executive Board member shall** The Vice Chair shall chair the legislative and regulations committee and may appoint a secretary for the committee. Affiliate members in good standing may volunteer to serve on this committee.
b. The committee is responsible for proposing and tracking legislation and regulations that are of concern to the affiliate. The committee may draft legislative and regulatory proposals to be introduced to the legislature or the appropriate agencies.
c. The committee chair will report quarterly to the membership. The committee will monitor legislation during any legislative session and keep the executive board advised. The committee will coordinate lobbying efforts with the Chair and the New Mexico Association of Counties.

E. **Standing** GIS Committee
   
a. **An Executive Board member shall** Upon appointment by the affiliate chair, the chair of the GIS committee and may appoint a secretary for the committee. Affiliate members in good standing may volunteer to serve on this committee.
b. The chair of this committee will serve as liaison for the affiliate with other governmental or non-governmental entities regarding GIS issues.
c. The committee chair will report quarterly to the membership.

F. **Ad Hoc PTD Committee**
   
a. Upon appointment by the affiliate chair, the chair of the PTD committee may appoint a secretary for the committee. Affiliate members in good standing may volunteer to serve on this committee.
b. The committee will address concerns raised by the affiliate membership while striving to maintain a working relationship with the Property Tax Division.
c. The committee chair will report quarterly to the membership.

The Chair may appoint additional committees deemed necessary as the need may arise. A majority of each committee shall constitute a quorum. Vacancies can be filled by volunteers or be appointed by the chair of the committee. The New Mexico Association of Counties shall be notified of active committees.

As needed, the membership will approve committee actions when presented at any conference or meeting.
Article VII
Elections

~ Section 1 – The Assessors Affiliate shall elect officers at the Legislative Conference, in January of even-numbered years, to serve two-year terms. Newly elected officers shall take office at the conclusion of the Annual Conference. All nominations shall be made by an affiliate member only and only affiliate members from counties in good standing may hold office.

~ Section 2 – Election of officers may be viva voce, if not contested. Contested elections shall be by secret ballot. Elections shall be determined by a majority vote of the counties present at the Legislative Conference.

Article VIII
Bylaws

The Assessors Affiliate shall adopt bylaws which conform to the NMAC Affiliate Bylaws Template, except as otherwise approved by the NMAC Board of Directors, and shall review these bylaws biennially.

Article IX
Amendments and Revision

The bylaws may be amended or revised by a two-thirds vote at a duly called affiliate meeting provided that the amendment or revision has been submitted in writing to each county at least 15 days prior to the vote. A properly submitted amendment can be further amended for technicalities during the affiliate meeting so long as the technical amendment does not alter the intent or meaning of the original amendment. Affiliate bylaw amendments and revisions must be ratified by the NMAC Board of Directors at its next duly schedule meeting.

Article X
Dissolution

If at any regular or special meeting three-fourths of affiliate members present and in good standing vote in favor of the dissolution of the affiliate, the affiliate shall be dissolved. If the Affiliate becomes inactive, it may be dissolved by the NMAC Board of Directors as provided in the NMAC Bylaws.

Article XI
Effective Date

These bylaws shall become effective immediately after adoption of a two-thirds vote of the affiliate membership present at the meeting during which the vote was taken and approval by the NMAC Board of Directors.
Adopted by the New Mexico Assessors Affiliate this:

2/25, 2013

[Signature]
Chair

[Signature]
Vice-Chair

Approved by the New Mexico Association of Counties Board of Directors this:

___________________________, 20___

___________________________
NMAC President
Proposed Rules  
(To be adopted by the Affiliate after Bylaws are Approved)

ASSESSORS AFFILIATE RULES

~ Standing Rule 1 – County Membership Dues
Membership Dues in the New Mexico Association of Counties Assessors Affiliate are:

Membership dues of $30.00 per year

Registration Fees - Registration fees for the spring or fall meetings are refundable if notice is given by phone or email to the Chair within 72 hours of the beginning of the meeting.

Other Compensation - The expenses of the Chair and Vice Chair attending any meeting or conference that will benefit their county shall be paid by their county. Example: NMAC legislative and annual conferences or the Assessors’ spring or fall conferences.

If an officer is representing the Assessors' affiliate, then the affiliate shall pay the expenses if approved by the Executive Committee prior to the meeting. Example: setting up meeting locations, legislative meetings or meetings with state officials.

Travel expenses shall be within the guidelines set forth by the Department of Finance and Administration and shall not exceed those guidelines.

~ Standing Rule 2 – Associate and Sustaining Business Membership Dues
Membership Dues for Associate and Sustaining Business Members are:

A) Associate Members: $ 30.00

B) Sustaining Business Members: $ [Enter amount for Sustaining Members]
SUMMARY – JUDICIARY BUDGET REQUESTS FY 2015

<table>
<thead>
<tr>
<th>Budget Items</th>
<th>Increase FY 2015</th>
<th>Running Total</th>
<th>Running % Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Budgets</td>
<td>$4,864,100</td>
<td>$4,864,100</td>
<td>3.29%</td>
</tr>
<tr>
<td>Judicial Compensation (5%)</td>
<td>$1,171,000</td>
<td>$6,035,100</td>
<td>4.08%</td>
</tr>
<tr>
<td>New Judgeships (5)</td>
<td>$1,487,300</td>
<td>$7,522,400</td>
<td>5.09%</td>
</tr>
<tr>
<td>Drug Courts (Problem-Solving)</td>
<td>$1,500,000</td>
<td>$9,022,400</td>
<td>6.10%</td>
</tr>
<tr>
<td>PERA (.40% and rate increases)</td>
<td>$1,822,800</td>
<td>$10,845,200</td>
<td>7.33%</td>
</tr>
</tbody>
</table>

ADEQUATE BASE BUDGET FUNDING

The Judiciary’s highest priority is to improve funding for basic court operations. Requested increased funding in court base budgets is $3,342,200 or +3.2% above FY 2014.

- Repair diminished operational budgets
- Allow courts to improve staffing levels while maintaining a reasonable number of vacancies
- New FTEs

Requested increases for the AOC total $2,416,400 or +5.57% above FY 2014.

More than 78% of the AOC total is in four areas:

- Magistrate court leases ($780,000)
- Jury & Witness Fund ($480,400)
- Filling critical positions in technology ($388,600) and
- Increasing funding for Court Appointed Attorneys to represent children in abuse and neglect cases ($237,000).
**DRUG COURT FUNDING**

FY14 Drug Court Operating Budget

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$7,839,900</td>
</tr>
<tr>
<td>OSF (includes LETF)</td>
<td>$2,447,500</td>
</tr>
<tr>
<td><strong>Total FY 14 Budget</strong></td>
<td><strong>$10,287,400</strong></td>
</tr>
</tbody>
</table>

FY15 Requested Increase $1,500,000

Reductions to FY14 Operating Budget in FY15

<table>
<thead>
<tr>
<th>Reduction</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Grant Elimination (Magistrate DWI Drug Courts)</td>
<td>($500,000)</td>
</tr>
<tr>
<td>Reduction TSB Federal Grant ($300,000 to $150,000)</td>
<td>($150,000)</td>
</tr>
<tr>
<td><strong>Total Reduction</strong></td>
<td><strong>($650,000)</strong></td>
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</tbody>
</table>

Net Reduction Drug Court Treatment Without LETF

<table>
<thead>
<tr>
<th>Reduction</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>LFC Funding Increase Recommendation</td>
<td>$650,000</td>
</tr>
<tr>
<td>Elimination of LETF Drug Court Funding</td>
<td>($500,000)</td>
</tr>
<tr>
<td><strong>Net Reduction to Drug Court Treatment</strong></td>
<td><strong>($500,000)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reduction</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DFA Funding Increase Recommendation</td>
<td>($0)</td>
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<tr>
<td>Federal Grant Elimination (Magistrate DWI Drug Courts)</td>
<td>($500,000)</td>
</tr>
<tr>
<td>Reduction TSB Federal Grant ($300,000 to $150,000)</td>
<td>($150,000)</td>
</tr>
<tr>
<td>Elimination of LETF Drug Court Funding</td>
<td>($500,000)</td>
</tr>
<tr>
<td><strong>Net Reduction to Drug Court Treatment</strong></td>
<td><strong>($1,150,000)</strong></td>
</tr>
</tbody>
</table>

**LFC Budget** - $650,000 in new funds for drug court treatment. Loss of federal funding for DWI Drug Courts ($500,000) and reduction in federal TSB funds results in a flat appropriation for drug court treatment. **Loss of LETF funds would require drug courts to reduce treatment by $500,000.**

**Executive Budget** - No additional drug court funding. Loss of federal funding for DWI Drug Courts ($500,000) and reduction in federal TSB funds ($150,000), results in reduction of $650,000 in drug court treatment funds. **Loss of LETF funds would require drug courts to reduce treatment by $1,150,000.**
# MRA and JRA Proposed Reforms 2014

<table>
<thead>
<tr>
<th></th>
<th><strong>Current</strong></th>
<th><strong>Proposed</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MRA</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Service Credit</td>
<td>5% (variable)</td>
<td>3.50%</td>
</tr>
<tr>
<td>Judge Contribution</td>
<td>7.50%</td>
<td>10.5%</td>
</tr>
<tr>
<td>State Contribution</td>
<td>11%</td>
<td>15%</td>
</tr>
<tr>
<td>COLA</td>
<td>2%</td>
<td>0% or 2% (effectively .66%)</td>
</tr>
<tr>
<td>Maximum Benefit</td>
<td>75% salary</td>
<td>85% salary</td>
</tr>
<tr>
<td>Age</td>
<td>24 years; 60+15; 64+5</td>
<td>same except 64+8 (vesting period)</td>
</tr>
<tr>
<td>Vesting</td>
<td>5 years</td>
<td>8 years</td>
</tr>
<tr>
<td>One-time funding</td>
<td>$0</td>
<td>$5 million</td>
</tr>
<tr>
<td>Final Average Salary</td>
<td>Final year of service</td>
<td>Final year of service</td>
</tr>
<tr>
<td>Survivor beneficiary</td>
<td>75% for life</td>
<td>Actuarial (same as PERA)</td>
</tr>
<tr>
<td>Magistrate Participation</td>
<td>Restricted (41 of 66)</td>
<td>Full (66 of 66)</td>
</tr>
<tr>
<td><strong>JRA</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Service Credit</td>
<td>3.75% (5% 2006 judges)</td>
<td>3.50%</td>
</tr>
<tr>
<td>Judge Contribution</td>
<td>7.50%</td>
<td>10.5%</td>
</tr>
<tr>
<td>State Contribution</td>
<td>12%</td>
<td>15%</td>
</tr>
<tr>
<td>COLA</td>
<td>2%</td>
<td>0% or 2% (effectively .66%)</td>
</tr>
<tr>
<td>Maximum Benefit</td>
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<td>8 years</td>
</tr>
<tr>
<td>One-time funding</td>
<td>$0</td>
<td>$0 million</td>
</tr>
<tr>
<td>Final Average Salary</td>
<td>Final year of service</td>
<td>Final year of service</td>
</tr>
<tr>
<td>Survivor beneficiary</td>
<td>75% for life</td>
<td>Actuarial (same as PERA)</td>
</tr>
<tr>
<td>Judge Participation</td>
<td>Restricted (121 of 124)</td>
<td>Full (124 of 124)</td>
</tr>
</tbody>
</table>
Key Points:

- The proposed changes apply to all current and future judges.
- The cost to the general fund is significantly less than those for other state funded retirement plans.

<table>
<thead>
<tr>
<th>PERA State Plan 3</th>
<th>ERB</th>
<th>Proposed JRA</th>
<th>Proposed MRA</th>
</tr>
</thead>
<tbody>
<tr>
<td>$7,973,333</td>
<td>$38,600,000</td>
<td>$461,726</td>
<td>$406,483</td>
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</table>

- The proposed reforms compare favorably to other state funded retirement plans.

<table>
<thead>
<tr>
<th></th>
<th>PERA</th>
<th>Proposed JRA</th>
<th>Proposed MRA</th>
<th>ERB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Contribution</td>
<td>8.92%</td>
<td>10.50%</td>
<td>10.50%</td>
<td>10.70%</td>
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<tr>
<td>Employer Contribution</td>
<td>16.99%</td>
<td>15.00%</td>
<td>15.00%</td>
<td>13.9%</td>
</tr>
<tr>
<td>Total % Contribution</td>
<td>25.91%</td>
<td>25.50%</td>
<td>25.50%</td>
<td>24.60%</td>
</tr>
<tr>
<td>% by Employee</td>
<td>34.43%</td>
<td>41.18%</td>
<td>41.18%</td>
<td>43.50%</td>
</tr>
<tr>
<td>Retiree Yearly COLA</td>
<td>2% fixed</td>
<td>.66% (&lt;80%)</td>
<td>.66 (&lt;80%)</td>
<td>1.6%-1.9%</td>
</tr>
</tbody>
</table>

- Judicial Salary Information

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Current Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Justice</td>
<td>1</td>
<td>$126,928</td>
</tr>
<tr>
<td>Justice</td>
<td>4</td>
<td>$124,928</td>
</tr>
<tr>
<td>Chief Judge, COA</td>
<td>1</td>
<td>$120,582</td>
</tr>
<tr>
<td>Court of Appeals Judge</td>
<td>9</td>
<td>$118,682</td>
</tr>
<tr>
<td>Chief District Judge</td>
<td>13</td>
<td>$114,553</td>
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<tr>
<td>District Judge</td>
<td>77</td>
<td>$112,748</td>
</tr>
<tr>
<td>Chief Metro Judge</td>
<td>1</td>
<td>$108,825</td>
</tr>
<tr>
<td>Metro Judge</td>
<td>18</td>
<td>$107,110</td>
</tr>
<tr>
<td>Presiding Magistrate Judge</td>
<td>2</td>
<td>$ 81,619</td>
</tr>
<tr>
<td>Magistrate Judge</td>
<td>64</td>
<td>$ 80,333</td>
</tr>
<tr>
<td>Total</td>
<td>190</td>
<td></td>
</tr>
</tbody>
</table>
Communications

1. President’s Report
2. Executive Director’s Report
3. NACo Board Member Report
4. WIR Board Member Report
5. Workers’ Compensation Report
7. Forest & Watershed Restoration Committee Update
8. Tire Recycling Committee Update
New Mexico Association of Counties
Executive Director’s and NMAC Staff Report
Highlights since Board Meeting on October 18, 2013 through January 21, 2014
Santa Fe Community Convention Center, Santa Fe, New Mexico

Executive Director Report – Steve Kopelman
Since the Board of Directors’ meeting October 18 in Sierra County, staff and I continue to work on several initiatives:

- Meetings in San Francisco with reinsurance companies and broker A.J. Gallagher regarding 2014 renewal for Multiline and Law Enforcement pools—Munich Re America, Genesis/General Re, and Brit Insurance.
- Meeting with Sheriffs Affiliate regarding 2014 legislative priorities.
- Hire new receptionist/constituent services assistant, Aelysea Webb.
- Conduct screening and interviews for Risk Management Director, and eventually hire Taylor Horst for position.
- Extensive work on hospital funding/sole community provider proposal by Human Services Department, including testimony at Health & Human Services Committee, and meetings with Legislative Finance Committee Executive Director David Abbey and staff, Governor’s Chief of Staff and cabinet secretaries, Hospital Association Executive Director Jeff Dye, HSD Deputy Secretary Brent Earnest, and NMAC subcommittee.
- Meetings with DFA regarding fiscal agency issue, funding for County Detention Facility Reimbursement Act.
- Meeting with State Risk Manager, Workforce Solutions regarding unemployment compensation premiums.
- Attend and participate in Multiline and Workers’ Compensation Pool Board meetings and Pool Board Retreat in Ruidoso.
- Attend and participate in meetings of Bernalillo County Criminal Justice Commission regarding causes of jail overcrowding and escalating costs for county jails.
- Attend and participate in NMFA Board of Directors meetings, as well as meetings of NMFA Audit Committee.
- Attend and participate in Water Trust Board Project Review Committee meeting.
- Attend and participate in Joint Finance Committee meeting.
- Attend and participate in LEDAC retreat in Albuquerque.
- Attend and participate in meetings of NMAC claims committee to review high exposure cases.
- Work with Multiline Underwriting Committee to set contributions for Multiline and Law Enforcement Pools for 2014.
- Attend and participate in County Manager teleconference.
- Attend and participate in Executive Committee meeting and meeting with the New Mexico Municipal League.
- Give presentation on county government to Leadership Los Alamos.
- Meet with each NMAC staff director and manager to discuss department’s work load, what’s working and what’s not working, and goals moving forward.
- Meeting with State Auditor regarding auditor recognition awards to be presented at 2014 Legislative Conference.
• Work closely with Kathy Callender on preparation for 2014 Legislative Conference.
• Attend New Mexico Tax Research Institute conference in Albuquerque.
• Attend and participate in December Multiline and Workers’ Compensation Pool Board meetings.
• Work on pricing and coverage for Santa Fe County Multiline and Law Enforcement coverage, and attend meeting of Santa Fe Board of County Commissioner meeting where BCC voted to join NMAC Multiline and Law Enforcement Pools for 2014.

Risk Management Report – Taylor Horst

Current Project: 2013 strategic plan goal 3: Recruit and retain members
Progress: On Tuesday, December 10, 2013 the Santa Fe County Commission voted to join the NMAC Law Enforcement and Multi-Line programs and to have the county’s multi-line and law enforcement coverage provided by NMAC effective January 1. Santa Fe County becomes the 29th member of the Multi-Line and Law Enforcement Pools.
Next Steps: The Multi-Line and Law Enforcement Pools received an RFP to bid on providing coverage to San Juan County. Staff will respond to the proposal, which is due on February 18. The County’s current coverage is through March 31, 2014.

Current Project: Multi-Line Pool Board Meeting
Progress: Completed December 11
The Board:
  • approved proposed changes to the 2014 Multi-Line coverage agreement;
  • approved the 2014 Multi-Line and Law Enforcement excess insurance / reinsurance (the Multi-Line Pool’s renewal was flat and the Law Enforcement Pool saw increased reinsurance premiums caused by several large excess claims);
  • approved the 2014 Multi-Line and Law Enforcement contributions and deductibles (Class A counties were offered higher deductible options and expanded land use coverage);
  • approved the 2014 Multi-Line and Law Enforcement budgets (both pools’ budgets decreased slightly due to a projection for reduced investment income);
  • approved the LEDAC 2014 appointments (the committee added two ex-officio positions – the chair of the detention affiliate, Curtis Cherry, and the chair of the sheriffs’ affiliate, Ken Christensen); and
  • authorized Steve Kopelman to hire a general counsel.

Note: At their October 23 meeting, the Board approved the reorganization of the risk management department.
Next Steps: The Multi-Line Pool’s general membership will conduct their annual meeting on January 22 at 9:00 a.m. and will elect Group I Geographic District board members, ratify the Santa Fe County board appointment, and approve a minor language change to the bylaws.

Current Project: Workers’ Compensation Pool Membership Meeting
Progress: Completed December 12
The Board:
  • awarded the payroll audit contract to Accounting Consulting Group, LLP; and
  • authorized Steve Kopelman to hire a general counsel.

Note: At their October 23 meeting, the Board approved the reorganization of the risk management department.
Next Steps: The Board’s next meeting will take place on April 17.

Loss Prevention Report – Sal Baragiola
Current Project: Accreditation for Detention Facilities
Progress: Cibola, Dona Ana, San Miguel, Santa Fe and Sandoval County are in the accreditation process. Chaves County detention facility was accredited in 2012 and Lea and San Juan County were accredited in May 2013. Dona Ana, Santa Fe, and San Miguel, counties have completed their final audits and will have their applications considered by Accreditation Council in January 2014.
Next Steps: The Adult Detention Professional Standards Council meets quarterly. The next meeting is scheduled for January 15, 2014. It is expected that during this meeting Dona Ana County, Santa Fe County and San Miguel County will be presented for accreditation.
Desired Outcome: Maximize the number of county detention facilities seeking accreditation and provide technical assistance to accredited facilities so that they can maintain accreditation.

Current Project: PREA JUVENILE GRANT
Progress: The NMAC is part of a New Mexico consortium with 4 counties (Bernalillo, Chaves, San Juan and Taos) that was awarded grant funds to implement PREA standards and provide training for juvenile detention center PREA Coordinators. Work under the grant is ongoing and staff have made training and resources available to all juvenile detention facilities as well as co-located adult facilities. The first full consortium meeting was held on August 6 in Bernalillo County and was facilitated by attorneys from the Children’s Law and Policy Center in Washington DC. Subsequent meetings were held in Taos and San Juan counties. The next meeting will be in Chaves County with a final roll out session to be held in Luna County in conjunction with the annual conference. This grant runs through March 2014. The NMAC is providing coordination and technical assistance for the project.
Update: The second meeting was held in Taos in November and the meeting was held in San Juan County on December 17-18, 2013. The group is working with the Washington, DC consultants to finalize a staff training program to develop youth education materials.
Next Steps: Meet quarterly grant reporting requirements as outlined in the “Professional Services Agreement” between the NMAC and Bernalillo County who applied for the grant.
Desired Outcome: Utilizing the PREA Grant to provide in depth technical assistance to the 4 cohort juvenile facilities and training to all New Mexico Juvenile Detention Centers as well as introduce the training to Adult Facilities

Current Program: Risk Awareness Program (RAP)
Progress: In October thru December Santa Fe County completed year 5 of RAP, they reduced the worker’s comp claims by 27%. Torrance County completed year 6 of RAP, they reduced worker’s comp claims by 25%, Multi-Line claims by 57% and Auto claims by 23%. Chaves County completed year 3 of RAP, they reduced their multi-line claims by 38%, and Auto claims by 100% (they had no Auto claims during their third year of RAP). Year 7 Lesson Plans have been prepared for Torrance County to continue with another year. Year 4 RAP has been prepared for Chaves County to continue. 7 Counties will be receiving plaques for meeting or exceeding some or all of the goals they set for the previous year.
Next Steps: Contact counties who are not currently participating in RAP and meet with county personnel to encourage participation to reduce claims and promote safety incentive programs. Continue with scheduled training and RAP information presentations the remainder of the calendar year.
**Desired Outcome:** Reduce the number of claims and injuries on an ongoing basis through adoption and continuation of the RAP program for all member counties.

**Current Project:** Development of the Standardized Basic Adult Detention Center Training Curriculum

**Progress:** The basic curriculum draft has been developed and will be presented to detention center administrators during the October 14-17 Detention Affiliate Retreat in Ruidoso. Input will be requested with a final roll-out of the curriculum planned during the NMAC Legislative Conference in January 2014. The curriculum has been developed by representatives of New Mexico Adult Detention Centers, in collaboration with the New Mexico Corrections Department.

**Update: Dec. 3, 2013:** The New Mexico Detention Officer Basic Training Curriculum has been reviewed and completed. The packaged curriculum will include 33 training topics with PowerPoint Presentations and Lesson Plan narratives. Recommended training hours equal 120 classroom hours. This can also be combined with facility specific On-the-Job training plans. The presentation of the curriculum, which will be contained on DVD, will occur during the Legislative Conference in January, 2014.

**Next Steps:** Final roll-out of the training curriculum to the Detention Affiliate is planned for January 2014, during the NMAC Legislative Conference in Santa Fe.

**Desired Outcome:** Provide detention facilities with adequate, standardized training programs in order to facilitate entry-level training implementation, in accordance with NMAC Adult Detention Professional Standards Manual.

**Intergovernmental Relations Report – Joy Esparsen**

**Current Project:** 2014-2015 Wildfire Risk Reduction Grant Program

**Progress:** The 2014-2015 Wildfire Risk Reduction Grant Program was released on January 10, 2014. BLM has identified approximately $180,000 for grant awards. Application forms are available online and the deadline is March 7, 2014. Over the past ten years, BLM has provided over $4.9 million in funds for collaborative programs.

**Next Steps:** NMAC will convene a review panel for ranking of applications received for the 2014-2015 wildfire program in April. Recommendations will be brought before the Board of Directors for final approval in May. A one year extension will be requested to complete the 2009-2014 Assistance Agreement closure.

**Desired Outcome:** NMAC seeks to continue its outstanding collaboration with BLM and hopes to secure funds to continue the wildfire grant programs for 2015-2016.

**Current Project:** 2013-2014 Wildfire Risk Reduction Grant Program

**Progress:** 2nd Quarter reports for the 2013-2014 Wildfire Risk Reduction Grant program were due the first week of January. To date, 2013-2014 grant distributions are $40,671.20 with an NMAC administrative fee of $7,320.82.

**Next Steps:** NMAC continues to process reimbursement requests and quarterly reporting for the 2013-2014 wildfire program.

**Desired Outcome:** NMAC anticipates a completion of these grants on June 30, 2014.

**Current Project:** 2012-2013 Wildfire Risk Reduction Grant Program

**Progress:** NMAC has closed out the 2012-2013 grant program and developed a yearend executive summary for BLM. The total amount distributed for 2012-2013 grant expenditures is $210,119.03 with an NMAC administrative fee of $31,451. This program has also been reviewed for federal single audit requirements. Several CWPP projects were reviewed and
approved by the New Mexico State Forestry’s Fire Planning Task Force and community updates were incorporated into the New Mexico Communities at Risk inventory.

**Next Steps:** NMAC is waiting for the final audit report on the 2012-2013 program and will share feedback with the Board that it receives from BLM on the yearend summary.

**Desired Outcome:** NMAC anticipates a clean audit review and positive feedback from BLM on the administration of the program.

**Current Project:** 2014 Wildland Urban Interface Summit

**Progress:** NMAC has held two planning meetings for the 2014 WUI Summit that will take place April 2nd and 3rd in Taos. The host hotel will be the Sagebrush Inn and Conference Center. The theme for this summit will be “Creating Fire Adaptive Communities.”

**Next Steps:** NMAC is working on finalizing hotel and meeting space contracts. The online registration will be available by January 15th. The planning committee will continue to work on identifying speakers and outlining the program. A field trip will be planned to potential Firewise communities and fire restoration sites in the area.

**Desired Outcome:** NMAC seeks to increase participation and provide necessary tools to local leadership and fire response personnel in anticipation of another severe fire season. This summit has grown steadily over the past four years and the need for wildland fire planning collaboration with local, state, and federal partners is paramount to public safety.

**Current Project:** Emergency Medical Services (EMS) Committee

**Progress:** The NMAC EMS Committee has met regularly since October to discuss EMS funding needs around the state. Committee members include representatives from the Commissioners’ Affiliate, Fire & Emergency Managers’ Affiliate, State Fire Marshal’s Office, New Mexico Municipal League, EMS Bureau, New Mexico Fire Chief’s Association, Municipal Fire Chiefs Association, and a private ambulance company. NMAC Vice President Paula Garcia serves as the Chair of this committee. NMAC and the NMML have surveyed local government EMS services to identify structures, funding sources, and needs. The EMS Bureau has begun to work on a concept draft.

**Next Steps:** The State Fire Marshal’s Office is investigating the possibility of a one-time appropriation from the amount of the Fire Fund currently being reverted to the General Fund to conduct an EMS needs assessment statewide. This concept was supported by the Fire Services Council and by the EMS committee. The funding would not affect any current distributions from the Fire Fund. The assessment would include an 18 month evaluation of EMS funding and would be administered through the State Fire Marshal’s Office. Costs for the study are anticipated to be approximately $300,000. The committee has also requested that NMAC and the NMML consider a legislative request to compliment this initiative.

**Desired Outcome:** NMAC seeks to quantify the EMS needs in New Mexico. Based upon the results of the study, NMAC would work with collaborators to establish appropriate funding and standards for EMS services in New Mexico.

**Current Project:** New Mexico Health Insurance Exchange (NMHIX)

**Progress:** NMAC has awarded six grants to counties and community health partners to provide public outreach for NMHIX. Developing the program has required a great deal of coordination between NMHIX and local governments to identify the specific needs for each community and define the permissible activities. The program has begun to gain momentum as many of these questions are answered. NMAC is currently processing reimbursement requests for grants that
have completed their first initiatives. NMAC has also completed and submitted required reporting to the NMHIX for the first three months of the project.

**Next Steps:** NMAC staff will be presenting to the Health Care Affiliate and Managers Affiliate during the legislative conference to encourage counties to apply for funding. NMHIX representatives will also be meeting with the Human Resources Affiliate to discuss the changes to health care plans.

**Desired Outcome:** NMAC recognizes that there are still many unanswered questions about the Affordable Care Act and that additional changes are likely to occur. With that in mind, NMAC’s goal is to help local governments provide informational resources to their community members. Through open dialogue with the NMHIX and financial assistance, local governments will be better equipped to respond to the rollout changes as they occur.

**Other current and recently completed projects include:**
- 2014 Newsletter, Volume 1
- NMED Water Sustainability Task Force
- New Mexico Fire Planning Task Force & Communities At Risk Subcommittee
- NMAC Legislative Conference
- NMAC Legislative Support

**Member Services Report – Kathy Callender**

**Current Project:** Registration 2014 Legislative Conference  
**Progress:** Secured 37 Exhibitors and 35 Sponsors  
**Next Steps:** Successfully conducted registration for 2014 Legislative Conference  
**Desired Outcome:** Increased on-site registration to 780 pre-registered attendees

**Current Project:** Programming and Logistics for 2014 Legislative Conference  
**Progress:** Planned and program 165 separate events and meetings  
**Next Steps:** Successful 2014 Legislative Conference

**Current Project:** Membership Renewal for Business Partners  
**Progress:** Membership data base has been created in new billing system  
**Next Steps:** Bill all Business Partners

**Current Project:** Preparation for District Meetings  
**Progress:** Identification of locations  
**Next Steps:** Secure venues

**Current Project:** 2014 Annual Conference  
**Progress:** Tentative agenda and locations determined  
**Next Steps:** Begin programming and logistics

**Past Project:** Update of website  
**Deliverable:** Update of Member Services portion of website  
**Next Steps:** Continue to improve and update Member Services portal on website

**Finance Report – Santiago Chavez**

**Current Project:** Financial Audit, Multi-Line and Law Enforcement  
**Progress:** Closing entries for fiscal year end

NMAC Executive Director/Staff Report  
January 21, 2014
Next Steps: Prepare PBC list for Auditors  
Desired Outcome: Audits complete and made public by deadline

Current Project: Legislative Team  
Progress: Attend Various Legislative Interim Committee Meetings, Legislative Session  
Next Steps: Continue to monitor Legislative and County meetings on NMAC priorities and other issues that can affect counties  
Desired Outcome: Informed Legislative team that is ready to support NMAC initiatives

Current Project: Multi-Line and Law Enforcement Pool Invoicing  
Progress: Invoices will be out in January  
Next Steps: Collection and investment of excess funds  
Desired Outcome: Proper cash management

Information Technology Report – Taylor Horst  
Current Project: iVOS Claim Intake Project  
Progress: iVOS Claims Database system upgraded successfully, testing system configured, internal testing completed, first County (Bernalillo) has started testing  
Next Steps: work through issues found by Bernalillo County, engage Chaves County to test  
Desired Outcome: Secure system to allow Counties to input claims directly into the claims database, reduce NMAC and County workload, reduce errors and speed up claim submission

Current Project: Positive Pay interface between NMAC accounting and Bank  
Progress: Bank was recently acquired, new systems are being tested at their end  
Next Steps: manual testing of our files with bank, then automating the process  
Desired Outcome: highly automated function to verify checks issued by NMAC

Current Project: CMS (Centers for Medicaid/Medicare Services) interface with iVOS  
Progress: Awaiting instructions from Coordination of Benefits Contractor (COBC)  
Next Steps: Wrap up test files and submit, make corrections and retest  
Desired Outcome: automated interface to report potential Medicare claims

Lobbyist Report – Tasia Young  
Reporting on interim committee meetings under the legislative report
NACO Board Meeting Cedar Rapids  
December 5-7  
Thursday afternoon and Friday morning  
Resilient County presentations about recovering from disasters were presented. The panel discussions were informative. The most important things I can pass on to you from the presentations is you need to have a disaster plan in place and practice it. Communications and relationships before, during and after will become a major key in the management of the disaster. When the events of the disaster calms down conduct an after action review.

David Miller, FEMA's Associate Administrator for the Federal Insurance and Mitigation Administration asked, “Do you know what threats to your County are?

Saturday Morning Board Meeting  
We approved the FY14 Budget which should yield NACO a $40,000 surplus at the end of the year.

We approved the following Legislative Priorities for 2014:

- protect the federal-state-local partnership for Medicaid  
- support the key federal investments in programs that promote local job creation and economic growth  
- protect county revenue and investment strategies  
- support federal land revenue sharing and the payment in lieu of taxes (PILT) programs  
- oppose unfunded and underfunded mandates  
- promote county priorities within immigration reform  
- support rural development and the Farm Bill and  
- support county priorities in the reauthorization of the surface transportation bill (MAP-21).

After much discussion of the election committee’s 23 recommendations for election reform the five that were approved by the Board are:

- the credentials form be sent to the Chief Elected Official and clerk in all member counties and to all Annual Conference registrants  
- the credentials form be signed by the Chief Elected Official or a registered delegate to the Annual Conference  
- candidates should not be permitted to campaign at steering committee meetings and that a candidate forum should be added to the schedule of the Annual Conference  
- candidates are not permitted to use any trademarked, registered or copyrighted NACo digital property and  
- a webinar in early February to go over the rules with candidates and other Interested parties.

Thank you for allowing me the opportunity to serve you on this Board. I wish you all a prosperous New Year!
Workers’ Compensation Pool Update

At the December 12, 2013 meeting, the Board:
- awarded the payroll audit contract to Accounting Consulting Group, LLP; and
- authorized Steve Kopelman to hire a general counsel.

**Note:** At their October 23 meeting, the Board approved the reorganization of the risk management department.

**Next Steps:** The Board’s next meeting will take place on April 17.

Multi-Line Pool Update

At the December 11, 2013 meeting, the Board:
- approved proposed changes to the 2014 Multi-Line coverage agreement;
- approved the 2014 Multi-Line and Law Enforcement excess insurance / reinsurance (the Multi-Line Pool’s renewal was flat and the Law Enforcement Pool saw increased reinsurance premiums caused by several large excess claims);
- approved the 2014 Multi-Line and Law Enforcement contributions and deductibles (Class A counties were offered higher deductible options and expanded land use coverage);
- approved the 2014 Multi-Line and Law Enforcement budgets (both pools’ budgets decreased slightly due to a projection for reduced investment income);
- approved the LEDAC 2014 appointments (the committee added two ex-officio positions – the chair of the detention affiliate, Curtis Cherry, and the chair of the sheriffs’ affiliate, Ken Christensen); and
- authorized Steve Kopelman to hire a general counsel.

**Note:** At their October 23 meeting, the Board approved the reorganization of the risk management department.

**Next Steps:** The Multi-Line Pool’s general membership will conduct their annual meeting on January 22 at 9:00 a.m. and will elect Group I Geographic District board members, ratify the Santa Fe County board appointment, and approve a minor language change to the bylaws.
Forest & Watershed Restoration Committee Update

During the New Mexico Association of Counties October 18, 2013 Board of Directors meeting, President Wendell Bostwick appointed the following members to a Forest & Watershed Restoration Committee:

Brett Kasten, Grant County (Chair)
Susan Griffin, Catron County
Rhonda Burrows, Lincoln County
Paula Garcia, Mora County
Sharon Stover, Los Alamos County

This committee was tasked with reviewing and making recommendations to the Board on the proposal brought forth by New Mexico Forest Industry Association President Brent Racher and Nature Conservancy Director of Government Relations Laura McCarthy. The proposal was to identify recurring state and/or federal revenues to support landscape scale forest and watershed restoration. NMAC has continued track this initiative and has been advised by Mr. Racher that there will not be a legislative proposal for the upcoming 2014 session. Mr. Rascher and Ms. McCarthy have agreed to keep NMAC apprised of new developments and anticipate this being a 2015 legislative initiative.

After visiting with Chairman Kasten, he has recommended not scheduling a meeting until after the legislative session. Following the session, NMAC will coordinate with the Chairman on scheduling a meeting to address this and other forestry initiatives.
Tire Recycling Committee Update

During the New Mexico Association of Counties October Board of Directors meeting, President Wendell Bostwick appointed the following members to a NMAC Tire Recycling Committee:

Danny Monette, Socorro County (Chair)
Pete Callahan, Harding County
Bill Sauble, Colfax County
Mary Andersen, Valencia County
Orlando Lucero, Sandoval County

This committee was tasked with identifying how counties can assist Grupo Cementos Chihuaha (GCC) Cement Plant in Tijeras with their efforts to use tire derived fuels in place of coal. Using tire derived fuels would be beneficial to many counties that struggle with tire disposal. Chairman Monette and representatives from Socorro County have visited with GCC Plant Manager Saul Alvidrez about the next steps. At this time, GCC has initiated the permitting process with New Mexico Environment Department and anticipates a 12–24 month process. Mr. Alvidrez advised Chairman Monette that he will follow up when additional information is available.

A meeting of the Tire Recycling Committee will likely be scheduled later this summer when GCC begins to develop their formal proposal. Socorro County Manager Delilah Walsh and Chairman Monette will provide a report on the current status to the Board during the NMAC Legislative Conference.
New Mexico Association of Counties

Matters from Staff

1. Finance Report
2. Risk Management Report
3. Intergovernmental Relations Report
4. Member Services Director Report
## New Mexico Association of Counties

**FY 2014 Budget Report**

for the six months ended 12/31/2013

<table>
<thead>
<tr>
<th>Income</th>
<th>2013-14 Budget</th>
<th>% Of Budget</th>
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<tbody>
<tr>
<td><strong>Participation Fees-NMAC</strong></td>
<td>$674,261</td>
<td>$337,642</td>
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<tr>
<td><strong>Conference Income</strong></td>
<td>325,000</td>
<td>162,381</td>
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<tr>
<td><strong>Grant Administrative Fee</strong></td>
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<td><strong>Sustaining Membership Fees</strong></td>
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<td>32,601</td>
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<tr>
<td><strong>Pool Administration Fees</strong></td>
<td>3,204,700</td>
<td>1,602,350</td>
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<td><strong>Endorsements/FEES-NMAC</strong></td>
<td>34,000</td>
<td>32,601</td>
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<tr>
<td><strong>Pool Administration Fees</strong></td>
<td>3,204,700</td>
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<tr>
<td><strong>Training/Workshop Income-NMAC</strong></td>
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<td>-</td>
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<tr>
<td><strong>Mortgage Income</strong></td>
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<td><strong>Miscellaneous Income</strong></td>
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<td><strong>Total Income</strong></td>
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<tr>
<th>Expenses</th>
<th>2013-14 Budget</th>
<th>% Of Budget</th>
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<tr>
<td><strong>Personnel Expenses:</strong></td>
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<tr>
<td><strong>Salaries &amp; Wages</strong></td>
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<td><strong>Deferred Compensation</strong></td>
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<td><strong>Staff Training &amp; Other Expenses</strong></td>
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<td><strong>Total Personnel</strong></td>
<td>$3,017,396</td>
<td>$1,328,058</td>
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| Program Expenses:           |                |             |
| **Legislative Expenses**    | $190,000       | $101,266    | 53%         |
| **Conference Expenses**     | 275,000        | 7,240       | 3%          |
| **NACO Conference Events**  | 5,000          | 2,655       | 53%         |
| **Grant Program Expenses**  | -              | 134,802     | 53%         |
| **Special Projects**        | 15,000         | 10,635      | 71%         |
| **Dues & Fees**             | 14,000         | 6,343       | 45%         |
| **Partnerships**            | 13,000         | 10,500      | 81%         |
| **Publications & Videos**   | 13,000         | 12,396      | 95%         |

<p>| Travel &amp; Meetings Expenses:|                |             |
| <strong>Staff Travel-Instate</strong>    | $30,000        | $18,909     | 63%         |
| <strong>Staff Travel-Out of State</strong> | 45,000         | 13,243      | 29%         |
| <strong>NMAC Board Travel-Out of State</strong> | 40,000        | 11,532      | 29%         |</p>
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<th>Budget</th>
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<td>PROPERTY TAXES ON 613</td>
<td>18,500</td>
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<td>PAYMENT ON 444 GALISTEO</td>
<td>135,000</td>
<td>68,078</td>
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<td>NET OPERATING INCOME</td>
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<td>INTEREST INCOME</td>
<td>30,000</td>
<td>9,205</td>
<td>31%</td>
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**Total Current Income**                                  |          | 183,724|            |
## Statement of Financial Position
### August 31, 2013 and 2012

### ASSETS

#### Current Assets
- **Cash and Cash Equivalents**: $479,155, $511,958
- **Accounts Receivable**: 74,089, 45,220
- **Prepaid Expenses**: 23,962, 19,295
- **Deposits**: 2,175, 52,675
  - **Total Current Assets**: 579,381, 629,147

#### Investments
- **Certificates of Deposit**: 100,000, 100,000
- **Mutual Funds**: 537,909, 526,176
- **Unrealized Gain (Loss)**: (7,646), 9,770
  - **Total Investments**: 630,263, 635,946

#### Property and Equipment
- **5,489,477, 4,214,621**
- **Less Accumulated Depreciation**: (1,101,578), (1,008,503)
  - **Net property and equipment**: 4,387,899, 3,206,118

#### TOTAL ASSETS
  - 2013: $5,597,543
  - 2012: $4,471,211

### LIABILITIES

#### Current Liabilities
- **Accounts payable and accrued expenses**: $328,885, $208,104
- **Unearned Member Contributions**: 337,642, 337,642
- **Deferred revenue-Grants**: 167,943, 176,742
  - **Total current liabilities**: 834,470, 722,489

#### Other Liabilities
- 2,680,708, 1,850,257

#### TOTAL LIABILITIES
  - 2013: $3,515,178
  - 2012: $2,572,746

**Fund Balance**: 1,898,641, 1,996,998
**Current Earnings**: 183,724, (98,533)
**Net Assets**: 2,082,365, 1,898,465

### TOTAL LIABILITIES & NET ASSETS
  - 2013: $5,597,543
  - 2012: $4,471,211
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<th>Purchase Date</th>
<th>Estimated 30 Day Yld</th>
<th>Quantity</th>
<th>Ending Market Value</th>
<th>Ending Amor Val/Cost</th>
<th>Unrealized Gain/Loss</th>
<th>Estimated Annual Income</th>
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<td>CDs:</td>
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<td>World Fin Netw CD due 9/9/14</td>
<td>9/1/09</td>
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<td>100,000</td>
<td>101,812</td>
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<td>$</td>
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<td>$ 101,812</td>
<td>$ 100,000</td>
<td>$ 1,812</td>
<td>$ 3,250</td>
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<td>Mutual Funds:</td>
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<td>Delaware Ltd Term Divers Inc Fund</td>
<td>4/7/11</td>
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<td>15,267</td>
<td>$ 130,534</td>
<td>135,090</td>
<td>(4,555)</td>
<td>2,362</td>
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<td>Federated Sers Inc Total Ret Bond Fd</td>
<td>4/7/11</td>
<td>3.45%</td>
<td>12,236</td>
<td>133,249</td>
<td>136,124</td>
<td>(2,876)</td>
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<td>5.03%</td>
<td>15,942</td>
<td>134,072</td>
<td>132,000</td>
<td>2,072</td>
<td>6,725</td>
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<td>13,922</td>
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<td>Total Mutual Funds</td>
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<td>3.17%</td>
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<td>$ 528,447</td>
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<td>(9,458)</td>
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<td>$ 630,259</td>
<td>$ 637,905</td>
<td>(7,646)</td>
<td>$ 19,912</td>
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To: 2014-2015 Wildfire Risk Reduction Grant Program Applicants  
From: Steve Kopelman, Executive Director  
New Mexico Association of Counties  
Date: January 9, 2014

New Mexico Association of Counties (NMAC) is pleased to announce the 2014-2015 Wildfire Risk Reduction for Rural Communities Grant Program. Funding for this program is provided by the National Fire Plan through the Department of the Interior/Bureau of Land Management (BLM) in cooperation with NMAC. The program targets at-risk communities by offering seed money to help defray the costs of reducing wildland fire risk to non-federal WUI areas in New Mexico. Funding for this grant program is intended to directly benefit communities that may be impacted by wildland fire initiating from or spreading to BLM public land. Additional information is available on our website at http://www.nmcounties.org/homepage/local-state-and-federal-collaboration/bureau-of-land-management/fire/.

The 2014-2015 Wildfire Risk Reduction Grant Program grant cycle will give priority to applicants who request funding for outreach and education projects (i.e. Fire Adaptive Communities, Firewise, Ready, Set, Go) that encourage reducing wildfire risk on private lands and can show a direct benefit to BLM lands. The program is also encouraging CWPP updates for plans that are more than three years old. Requirements for CWPP updates are included with the program information. A limited number of hazardous fuel reduction projects will be considered and should focus on treatments to private lands with a direct benefit to BLM lands.

The following program documents are attached:
- Program Information including Grant Requirements
- Award Terms and Conditions Example
- Quarterly Report Example
- Application for Fuel Reduction Treatments (Microsoft Word or Fill-In Option)
- Application for Outreach and Education Projects (Microsoft Word or Fill-In Option)
- Application Community Wildfire Protection Plans (Microsoft Word or Fill-In Option)

Please review all materials thoroughly and complete the submission checklist before submitting your application packet. Incomplete applications will not be accepted. All packets must be received by the New Mexico Association of Counties office by 5:00 pm on Friday, March 7, 2014. If you have specific inquiries about the New Mexico Association of Counties, Wildfire Risk Reduction Program, Application for Funding, or grant distributions please contact:

Joy Esparsen, Intergovernmental Relations Director  
New Mexico Association of Counties  
(505) 820-8111  
jesparsen@nmcounties.org

The Department of the Interior/Bureau of Land Management and the New Mexico Association of Counties appreciate your interest in protecting our residents, communities, and state from wildland fires.
Background
The Wildfire Risk Reduction Program for Rural Communities was established in 2005 under the National Fire Plan to assist communities throughout New Mexico in reducing their risk from wildland fire on non-federal lands. The New Mexico Association of Counties (NMAC), a nonprofit community foundation, has partnered with the Bureau of Land Management (BLM) to administer the program and distribute awards.

This grant program is only applicable to the Wildland Urban Interface (WUI). WUI is defined as identified in an approved Community Wildfire Protection Plan (CWPP). A completed and approved CWPP is a pre-requisite for funding through this program. The program targets at-risk communities by offering seed money to help defray the costs of reducing wildland fire risk on non-federal lands in WUI areas throughout New Mexico. Funding for this grant program is intended to directly benefit communities that may be impacted by wildland fire initiating from or spreading to BLM public land.

In 2014-2015 Wildfire Risk Reduction Grant Program will give priority to applicants who request funding for outreach and education projects (i.e. Fire Adaptive Communities, Firewise, Ready, Set, Go) that encourage reducing wildfire risk on private lands and can show a direct benefit to BLM lands. The program is also encouraging CWPP updates for plans that are more than three years old. CWPP updates are included with the program information. A limited number of hazardous fuel reduction projects will also be considered and should focus on treatments to private lands with a direct benefit to BLM lands. Applicants may apply for complimentary projects with no more than one per category (1 Fuel Treatment, 1 Education, Prevention and Outreach, 1 CWPP Update). Each project must be submitted on a different application. A Selection Committee comprised of wildland fire experts, federal, state and local government officials will review all project proposals and make funding recommendations. The New Mexico Association of Counties Board of Directors will have final approval of these recommendations.

1. Grants for Hazardous Fuel Reduction projects on non-federal lands are available for up to $50,000/project.

2. Grants for Wildland Fire Education, Prevention and Outreach Activities that support implementation of an applicable CWPP are available for up to $10,000/project.

3. Grants for CWPP Updates to address broader WUI definitions or other modifications to previously approved CWPPs in order to address community specific actions, strategies, or treatments are available for up to $15,000/project. If you are considering updating your CWPP or WUI definition please reference the attached list of requirements.

All project proposals require a minimum 10% cost share. Cost share can be in the form of cash or in-kind contributions. Funded projects must be completed within 12 months of award acceptance.

It is the responsibility of the grantee to assure that if their project is selected for funding through the Wildfire Risk Reduction Program that it complies with applicable local, state, and federal laws. Applicants who receive more than $500,000 annually from federal sources will be required to submit a copy of their audit to NMAC.

All funds must be expended within 12 months of award acceptance. Funds cannot be used to attempt to influence legislation or the outcome of any public election.

Prescribed burning of any type including, but not limited to, broadcast burns, pile burns, understory burns, etc. is explicitly excluded as an approved practice through this grant program.
**Eligibility**

Eligible applicants must meet the following minimum requirements:

- Be a County Government or Municipality, a 501(c)(3) organization in the State of New Mexico, a
  statutorily recognized political subdivision such as a Soil & Water Conservation District, or a Native
  American tribe working on behalf of one or more communities at risk of wildfires in the State of New
  Mexico; AND
- Contribute at least 10% cost share to the project that can include “in-kind” services. In-kind services
  may be comprised of labor, staff work, or any other non-federal agency participation costs: AND
- Have their local BLM Field Office Fire Management officer review and sign off on the application with
  a recommendation for funding.

**Criteria for Selection**

Funding for this grant program is intended to directly benefit communities that may be impacted by wildland fire
originating on or spreading to BLM public land. As a result, the following criteria will be considered when your
project is evaluated.

Projects must demonstrate that:

- The area impacted by the project(s) is at risk to fire originating on or spreading to BLM public land.
- The area impacted by the project is in the wildland urban interface (WUI) as defined by the applicable
  CWPP for the project.

Special consideration will be given to projects that:

- Are for Hazardous Fuel Reduction and can demonstrate appropriate mitigation measures for cultural
  and endangered species impacts
- Are directly adjacent to BLM public land
- Include an Education, Prevention, and Outreach activity that compliments a requested Hazardous
  Fuel Reduction project
- Provides greater than the minimum 10% cost share
- Develop National Fire Plan – Community Capacity (ECO Friendly, Landscape Scale Projects)
- Compliments existing or ongoing projects
- Utilizes Biomass from Hazardous Fuel Reduction projects
- Can demonstrate a cost-effective approach to treating hazardous fuels
- Develops sustainable education projects such as Train-the-Trainer
- Provides a benefit to multiple communities identified by the New Mexico Communities at Risk
  Assessment Plan
- Does not needlessly duplicate similar efforts in the community

**Timeline**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 2014</td>
<td>Release of Application for Funding</td>
</tr>
<tr>
<td>March 7, 2014</td>
<td>Application deadline at 5:00pm-no late or incomplete applications accepted</td>
</tr>
<tr>
<td>April 2014</td>
<td>Selection committee reviews project proposals</td>
</tr>
<tr>
<td>June 2014</td>
<td>NMAC Board reviews and approves committee recommendations</td>
</tr>
<tr>
<td>Late June 2014</td>
<td>Successful grant recipients are notified</td>
</tr>
<tr>
<td>July 1, 2014 – June 30, 2015</td>
<td>12 Month Grant Timeframe</td>
</tr>
</tbody>
</table>
**Fundable Projects**

All projects for hazardous fuel reduction and wildfire education, prevention and outreach must be identified in a CWPP. Funding for the 2014-2015 Program is estimated at $180,000. Applicants may request funding for no more than one project in each of the following categories:

1. **Hazardous Fuel Reduction** - Fuel reduction projects and vegetation treatments remove or modify fuels in the wildland urban interface (WUI) to reduce potential wildfires. The goal is to modify or break up the fuels in such a way that lessens catastrophic fires and their threats to public and firefighter safety and reduces damage to property. Examples include fuel breaks, thinning, pruning, and landscape modifications. Prescribed burning of any type including, but not limited to, broadcast burns, pile burns, understory burns, etc. is explicitly excluded as an approved practice through this grant program. Biomass utilization is encouraged as a beneficial alternative for all Hazardous Fuel Reduction projects and will receive special consideration. Projects must be identified in a CWPP to be eligible for funding and must include a map showing exactly where the project will take place and the footprint of the project.

   Please Note: Applicants requesting funding for Hazardous Fuel Reduction projects should thoroughly review the Endangered Species & Cultural/Historic Preservation Requirements included with this documentation and the application. Additional questions should be referred directly to the Grant Program Administrator.

2. **Wildland Fire Education, Prevention, & Outreach Activities** - Homeowners and communities have a responsibility to create “fire safe” conditions in and around structures that will limit the transmission of fire from wildlands to property and property to wildlands. Grants for wildland fire education, prevention and outreach activities should support implementation of an applicable CWPP through the development of educational products, community outreach events, data collection, home evaluations, media and public information events, and training residents. Topics for these activities may include, but are not limited to, structural ignitability, Firewise, defensible space, fire ecology, restoring fire to the environment, homeowner responsibility, etc.

3. **Community Wildfire Protection Plan Updates (CWPP)** - A completed CWPP is required before other activities can be funded through this program. CWPP’s are community-based fire planning efforts that have been collaboratively developed and identify prioritized areas for hazardous fuel reduction treatments. CWPP core groups may request funding to address broader WUI definitions or other updates to their previously approved CWPPs in order to address community specific actions, strategies, or treatments. Requests for CWPP updating funds should be considered complimentary funding to Hazardous Fuel Reduction or Education, Prevention, and Outreach projects and may not exceed $15,000.

**Endangered Species & Cultural/Historic Preservation Requirements**

All projects that include ground-disturbing activities such as thinning or other forms of fuel reduction require compliance with both endangered species and cultural/historic preservation laws. Photographs of the area where fuel treatment projects are proposed are required to assist with determining clearance requirements. Applicants are encouraged to review the Biological Assessment and U.S. Fish and Wildlife Service Consultation guidance documents provided on the NMAC website under Funding Opportunities/Public Safety/Fire. Applicants are encouraged to incorporate the following “best practices” in the implementation of fuel reduction projects in order to limit requirements for clearance approval:

a) Do not use off road vehicles during the project.

b) Do not drag slash into piles; rather hand carry or move with wheeled carts.

c) Do not use mechanical thinning equipment. Hand-thin with chain-saws.

d) Use general best management practices to prevent soil erosion.

NMAC will review all Hazardous Fuel Reduction funding requests to determine appropriate compliance requirements. NMAC will then assist successful applicants through the compliance process, which in some sensitive areas may require changing the season, scope or type of work proposed, conducting cultural or species surveys, and/or consulting with state and/or federal agencies.
**Mapping Requirements**
Applicants for Hazardous Fuel Treatment funding must include a United States Geological Survey (USGS) 7.5-minute topographical map of the project footprint. Information regarding these maps can be obtained through the USGS website at [http://topomaps.usgs.gov/](http://topomaps.usgs.gov/). These maps will be required for cultural and endangered species review of all Hazardous Fuel Treatment project applications. Fuel Treatment applications are also required to provide photographs of project area vegetation.

**Payment Information**
Grant awards will primarily be disbursed through quarterly reimbursement installments throughout the course of the 12-month grant period (i.e. personnel costs). Projects that require funds for a one-time task (i.e. equipment purchase) may be approved for a one time distribution.

**Grant Reporting**
All grant recipients will be required to submit quarterly progress reports to the New Mexico Association of Counties. A template has been provided with the program release and reports will include examples of news articles/press releases about your project, copies of any educational products developed, as well as photographs of your project’s progress if applicable. Before and after photographs will be required for fuel treatment projects. If selected to receive a grant, organizations will be notified about quarterly progress report deadlines.

**Letters of Commitment**
Letters from committed partners must identify roles, responsibilities, and cost sharing arrangement for the specified project. Form letters will not be considered. Each letter must be submitted on the committed partners letterhead and include a current date. General letters of support should not be included.

**Application Submission:**
Applicants should submit one complete copy of the application including maps and letters of specific commitment - NO LATER THAN 5PM, FRIDAY, MARCH 7, 2013. Submit to the New Mexico Association of Counties, Attn: Wildfire Risk Reduction Program, 444 Galisteo Street, Santa Fe, NM 87501. Applications may also be submitted electronically to Joy Esparsen at jesparsen@nmcounties.org. No late or incomplete applications will be accepted or considered for funding.

If you have questions or need additional assistance, please contact Joy Esparsen, at (505) 820-8111 or via email at jesparsen@nmcounties.org.
New Mexico State Forestry Requests the Following Be Included in a CWPP or CWPP Update

**Engage Interested Parties and Form a Core Team**

Contact all land management agencies within the boarders of the proposed CWPP area, neighborhood associations, businesses, watershed groups, conservation groups, environmental groups and interested landowners by telephone or mail to explain the proposal to develop the CWPP and request their participation.

Form a Core Team of Interested Parties to collaborate on developing the CWPP. The Core Team shall be identified in the Final CWPP and assist with the Tasks below.

Create a directory of Interested Parties and Core Team members and include the following information: names, addresses, telephone numbers and e-mail addresses. Document when and where all meetings are held and who attends the meetings. Retain all written comments from Interested Parties and Core Team members and provide the above written information to the Division.

**Establish a Community Base Map**

Work with Core Team in the development of a Community Base Map.

The Map should document the boundary of the CWPP and include land ownership boundaries, community wildland urban interface areas at risk, forested areas that contain critical human infrastructure, and forest areas at risk for large-scale fire disturbance. Provide an electronic copy of the Map to EMNRD, the Division.

**Develop a Community Risk Assessment:**

Develop a written Community Risk Assessment for the communities within the county using Wildland/Urban Interface Fire Hazard Assessment Methodology that can be found at [www.nmforestry.com](http://www.nmforestry.com) or a similar at-risk assessment process the Division approves. The assessment shall rate communities as high, medium, low or no risk and shall, at a minimum, include fuel hazards, risk of wildfire occurrence, homes, businesses, and essential infrastructure at risk, other community values at risk and the local preparedness and firefighting capability. The Community Risk Assessment will be used to identify issues and problem areas to be addressed in the Initial CWPP Outline and the Draft Interim CWPP. The Community Risk Assessment will be provided to the Division and be included in the Final CWPP.

**Develop an Initial CWPP Outline**

The CWPP Core Team will use the Community Risk Assessment to identify issues and problem areas to be addressed in the Initial CWPP Outline. The Initial CWPP Outline will address the following:

- Potential for reducing fire danger and increasing community protection by using mechanical and prescribed fire hazardous fuels treatments to reduce fire danger and improve community safety.
- Proposed prescriptions for hazardous fuels treatments differentiated by ownership types including private home and business owners with less than 10 acres, state and private landowners with more than 10 acres and federal public lands affecting the Wildland/Urban Interface.
- Whether to include International Urban-Wildland Interface Code (ICC) within the CWPP to assist in the reduction of structural ignitability.
- If applicable, explanatory text, proposed solutions and base map overlays that identify the location for each issue and problem area in the Initial CWPP Outline.

**Establish Community Priorities and Recommendations**

Use the Initial Draft CWPP, including the Community Base Map and the Community Risk Assessment to facilitate a collaborative community discussion that leads to the identification of local priorities for fuel treatments, provides recommendations for the reduction of structural ignitability, and provides recommendations for improving fire response capabilities. Incorporate the local priorities and recommendation into the Interim Draft CWPP. Hold at least two meetings to obtain comments on priorities and recommendations from the public and retain all written comments from the community and provide to the Division.
Develop an Interim Draft CWPP with an Action Plan

Develop an Interim Draft CWPP based on the Community Risk Assessment and the Initial CWPP Outline, incorporating community priorities and recommendations into an Action Plan section describing project types and locations, timelines and monitoring that will reduce the risk of wildland fires near populated areas or community watersheds, reduce fuel hazards, prevent fires and improve public safety response. The Final Draft CWPP will clearly indicate whether priority projects serve to protect the community and its essential infrastructure or are geared toward reducing risks to the other community values.

Complete the Final CWPP

Work with Core Team to incorporate or address comments on the Interim Draft CWPP into the Final CWPP. Obtain approval signatures from the following entities:

A list of the required signatures are included in the agreement. They include land management agencies within the defined area and required CWPP signatures. The core team may include any additional signatures they feel are warranted.

- Municipal or County Official (Commissioner, Manager, Mayor, etc.)
- Fire Chief(s) or Fire Marshal
- EMNRD, Forestry Division, Applicable District Forester

If applicable:
- National Forest
- BLM
- BIA
- National Parks
- State Parks
- Municipal Officials
- Water Conservation District Chair

If an entity is unable to sign the final plan, edit the plan to recognize its non-approval and remove its responsibilities from the Final CWPP. Provide the Division with:
- Two hard copies of the Final CWPP including all signatures
- An electronic version of the Final CWPP compatible with Microsoft word processing software
- Shape files of all maps used in the Final CWPP
- A list of CWPP communities and their risk ratings

Provide an electronic version compatible with Microsoft word processing software of completed plan to CWPP Core Team members and Interested Parties.

CWPP Update Requirements:
- Changes must be incorporated into the original document, they cannot simply be an addendum.
- Updated mapping including vegetation.
- Any changes to community ranking should be listed as well as an explanation.
- Should demonstrate public involvement through two to four community meetings.
- Should identify FireWise Communities.
- Provide narrative on fire history, population changes
- Must have new signatures.
- Should identify projects completed.
- Should include a new 5-year priority list.
NEW MEXICO ASSOCIATION OF COUNTIES
WILDFIRE RISK REDUCTION GRANT PROGRAM

Terms & Conditions

NMAC AUTHORITY
This is a sub grant of federal financial assistance from the New Mexico Association of Counties, (hereinafter referred to as "the Grantor") agrees to grant the entity named above (hereinafter referred to as "the Grantee") funds in the amount specified on the Grant Acknowledgement Form, to support the Wildfire Risk Reduction Grant Program activated under this Grant Award. The Grantee agrees to abide by the Grant Award terms and conditions as set forth in this document.

The Wildfire Risk Reduction Program Administrator shall be responsible for oversight of the program, monitoring the performance of all grant recipient activities described in the application and distribution of grant funds. All correspondence should be directed to:

Joy Esparsen, Intergovernmental Relations Director
444 Galisteo Street
Santa Fe, NM 87501
(505) 820-8111
jesparsen@nmcounties.org

FUNDING AUTHORITY
Funding for the Wildfire Risk Reduction Grant Program is provided to the New Mexico Association of Counties through the following:

CFDA #15.228
National Fire Plan: Wildland Urban Interface Community Fire Assistance
Grant Number: GDA 040021
Grant Period: October 2009 – September 2014
Questioned Costs: None
Federal Agency: Department of Interior, Bureau of Land Management

AMOUNT AWARDED
This Grant Agreement is for the administration and completion of the approved Wildfire Risk Reduction grant award for fiscal year 2014-2015. Grant Agreement funds may not be used for other purposes. If costs exceed the maximum amount of funding approved, the Grantee shall pay the costs in excess of the approved budget.

COST SHARE
The cost-share requirement for this award is a minimum of 10% in-kind. Please reflect this information on your quarterly reports. If you need assistance in determining your in-kind contributions please contact the Wildfire Risk Reduction Program Administrator.

PROJECT DESCRIPTION
The Grantee shall perform the work described in the application package and made a part of the grant agreement articles.
DISBURSEMENT OF FUNDS
Funds will be distributed on a quarterly reimbursement basis unless prior approval has been received from the Grantor to release additional funds. Reporting requirements must be met before funds will be released. Final payment will be made upon completion of project. Please submit your receipts to the Wildfire Risk Reduction Program Administrator following the reporting and reimbursement chart below.

REPORTING REQUIREMENTS
The Grantee shall submit quarterly status reports during the performance period. A copy of the required document is provided with this award package. There are no penalties for early completion of project.

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Report Due Date</th>
<th>*Completion Percentage</th>
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</thead>
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<tr>
<td>Jan. 1st – Mar. 31st, 2015</td>
<td>April 1st, 2015</td>
<td>75%</td>
</tr>
<tr>
<td>Apr. 1st – Jun. 29th, 2015</td>
<td>June 30th, 2015</td>
<td>100%</td>
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</table>

*Completion percentage is an estimate. We understand that some projects may not follow these percentages during the 1st and 2nd quarter. Please notify NMAC immediately if you are not on schedule after the 2nd quarter.

PERIOD OF PERFORMANCE
The performance period for the Grantee shall not exceed a maximum of 12 months. All costs must be incurred during the period of performance unless pre-award costs are approved. Unless an extension agreement is reached with NMAC, failure to meet project objectives within 12 month performance period will be considered a default in agreement and repayment of grant funds will be required.

AUDIT REQUIREMENTS
All grantees expending $500,000 or more in federal awards during a fiscal year are required to submit a copy of their financial audit to NMAC.

In order to comply with the federal requirements that regulate the funding provided for the Wildfire Risk Reduction Grant Program, NMAC is required to ensure that grant recipient audits meet the requirements of OMB Circular A-133 and that the required audits are completed within 9 months of the end of the grantees audit period. In the event of audit findings, NMAC will issue a management decision within 6 months after receipt of the grantees audit report. NMAC must ensure that the grantee takes timely and appropriate corrective action on all audit findings. In cases of continued inability or unwillingness of a grantee to have the required audits, NMAC will take appropriate action using sanctions. Grantees agree to permit NMAC and auditors access to the records and financial statements as necessary for NMAC to comply with these requirements.
REVISIONS
The Grantee shall notify the Grantor within 30 days of any changes in the primary contact or financial representative for their project.

COMPLIANCE ISSUES
It is the responsibility of the Grantee to assure that their project complies with all applicable local, state, and federal laws. The Grantee also agrees to comply with all applicable laws and regulations governing standard grant management practices.

TERMINATION
The Grantee may terminate the grant award agreement by giving written notice to the NMAC within ten (10) business days of receipt of this agreement.

MEDIA
NMAC requires as a term and condition of the grant that the Grantee provides recognition and acknowledgement of the Association’s award and contribution in all activities, publications, and materials associated with this funding. All media communications pertaining to your project or program should clearly indicate the support of the New Mexico Association of Counties and the National Fire Plan funding through the Bureau of Land Management.

The following is a suggested communications plan outline for your project’s grant award:
Press Releases
a. Send out a press release announcing the grant award to your organization.
b. Send out press releases preceding and following your program’s events.
c. Invite local media, donors, and elected officials and provide photo opportunities when appropriate.
d. You may utilize the Press Release attached
In-House Publications
a. Feature the grant award in any newsletters, donor update letters, or notifications your organization has with its constituents.
Inform your government representatives
a. Letters from community organization help legislators understand the importance of investing public funds in the Wildfire Risk Reduction Program.
b. You may utilize the Sample Letter attached for your local, state and federal officials
Photos
a. This is a requirement of all projects.
b. For treatments, please submit before and after images
c. For planning and CWPPs, please submit images of collaborative processes, meetings, etc.
Logos
a. Public events and/or materials are expected to have an official NMAC logo clearly visible.
b. Include the NMAC logo and URL link on your website.
c. Please contact Joy Esparsen to obtain an electronic copy of the NMAC logo.

Acceptance of this award including the Terms and Conditions is acknowledged by the grantee upon signature of the governing body (i.e. County Commission, City Council, Board of Directors, Tribal Council) and return of the attached grant acknowledgement form to NMAC by July 1, 2014.
PERIOD OF PERFORMANCE
The performance period for the Grantee shall not exceed a maximum of 12 months. All costs must be incurred during the period of performance unless pre-award costs are approved. Unless an extension agreement is reached with NMAC, failure to meet project objectives within 12 month performance period will be considered a default in agreement and repayment of grant funds will be required.

AMOUNT AWARDED
This Grant Agreement is for the administration and completion of the approved Wildfire Risk Reduction grant award for fiscal year 2014-2015. Grant Agreement funds may not be used for other purposes. If costs exceed the maximum amount of funding approved, the Grantee shall pay the costs in excess of the approved budget.

COST SHARE
The cost-share requirement for this award is a minimum of 10% in-kind. Please reflect this information on your quarterly reports. If you need assistance in determining your in-kind contributions please contact the Wildfire Risk Reduction Program Administrator.

DISBURSEMENT OF FUNDS
Funds will be distributed on a quarterly reimbursement basis unless prior approval has been received from the Grantor to release additional funds. Reporting requirements must be met before funds will be released. Final payment will be made upon completion of project. Please submit your receipts and invoices to the Wildfire Risk Reduction Program Administrator following the reporting and reimbursement chart below.

REPORTING REQUIREMENTS
The Grantee shall submit quarterly status reports during the performance period. A copy of the required document is provided with this award package. There are no penalties for early completion of project.

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Report Due Date</th>
<th>*Completion Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1st - Sept. 30th, 2014</td>
<td>October 1st, 2014</td>
<td>25%</td>
</tr>
<tr>
<td>Jan. 1st – Mar. 31st, 2015</td>
<td>April 1st, 2015</td>
<td>75%</td>
</tr>
<tr>
<td>Apr. 1st – Jun. 29th, 2015</td>
<td>June 30th, 2015</td>
<td>100%</td>
</tr>
</tbody>
</table>

*Completion percentage is an estimate. We understand that some projects may not follow these percentages during the 1st and 2nd quarter. Please notify NMAC immediately if you are not on schedule after the 2nd quarter.

REVISIONS
The Grantee shall notify the Grantor within 30 days of any changes in the primary contact or financial representative for their project.

MEDIA
As stated in the program overview, “NMAC requires as a term and condition of the grant that the Grantee provides recognition and acknowledgement of the Association’s award and contribution in all activities, publications, and materials associated with this funding. All media
Quarterly Reporting
Wildfire Risk Reduction Program for Rural Communities
2014-2015 Program

communications pertaining to your project or program should clearly indicate the support of the New Mexico Association of Counties and the National Fire Plan funding through the Bureau of Land Management.”

Please know that your efforts to reduce wildfire in New Mexico are important and worthy of media attention. NMAC has chosen to support your work based on specific criteria and through a competitive grant competition. Good publicity and media coverage will help to ensure the success of this funded project, your organization and NMAC. The following is a suggested communications plan outline for your project’s grant award:

Press Releases
a. Send out a press release announcing the grant award to your organization.
b. Send out press releases preceding and following your program’s events.
c. Invite local media, donors, and elected officials and provide photo opportunities when appropriate.
d. You may utilize the Press Release attached

In-House Publications
a. Feature the grant award in any newsletters, donor update letters, or notifications your organization has with its constituents.

Inform your government representatives
a. Letters from community organization help legislators understand the importance of investing public funds in the Wildfire Risk Reduction Program.
b. You may utilize the Sample Letter attached for your local, state and federal officials

Photos
a. This is a requirement of all projects.
b. For treatments, please submit before and after images
c. For planning and CWPPs, please submit images of collaborative processes, meetings, etc.

Logos
a. Public events and /or materials are expected to have an official NMAC logo clearly visible.
b. Include the NMAC logo and URL link on your website.
c. Please contact Joy Esparsen to obtain an electronic copy of the NMAC logo.

COMPLIANCE ISSUES
It is the responsibility of the Grantee to assure that their project complies with all applicable local, state, and federal laws. The Grantee also agrees to comply with all applicable laws and regulations governing standard grant management practices.

If you have questions or need additional assistance, please contact Joy Esparsen, at (505) 820-8111 or via email at jesparsen@nmcounties.org.
# Quarterly Reporting

## Wildfire Risk Reduction Program for Rural Communities

**2014-2015 Program**

Name: [X Quarter Report – Entity Name – 2013-2014](Type of Grant – i.e. Fuel, Education, CWPP)  

<table>
<thead>
<tr>
<th>GRANT CATEGORY</th>
<th>ANTIQUEP RESULTS OVER COURSE OF 12 MONTHS</th>
<th>QUARTERLY ACCOMPLISHMENTS</th>
<th>TOTAL ACTUAL ACCOMPLISHMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Wildfire Protection Plan Grants (CWPP)</td>
<td>Anticipated results over 12 months based upon application</td>
<td>Please provided detailed narrative on completion of grant acceptance documentation, any meetings including number of participants, identify partners, RFPs developed for contract work, mapping completed, outreach initiatives.</td>
<td>Expansion on 1st quarter with updated accomplishments</td>
</tr>
<tr>
<td>Fuel Reduction Grants</td>
<td>Anticipated results over 12 months based upon application</td>
<td>Please provided detailed narrative on completion of grant acceptance documentation, any meetings including number of participants, identify partners, RFPs developed for contract work, photograph area prior to treatment, mapping completed, outreach initiatives, acres treated.</td>
<td>Expansion on 1st quarter with updated accomplishments</td>
</tr>
<tr>
<td>Education and Outreach Grants</td>
<td>Anticipated results over 12 months based upon application</td>
<td>Please provided detailed narrative on completion of grant acceptance documentation, any meetings including number of participants, identify partners, products planned or developed, and description of education and outreach initiatives completed.</td>
<td>Expansion on 1st quarter with updated accomplishments</td>
</tr>
</tbody>
</table>
New Mexico Association of Counties

Executive Session

New Business
1. County Roundtable Discussion
2. County Audit Accountability Award

Old Business
MEMORANDUM

To: NMAC Board of Directors
From: Steve Kopelman, Executive Director
Re: Audit Accountability Award
Date: January 21, 2014

In collaboration with the Office of the State Auditor (OSA), New Mexico Association of Counties (NMAC) will recognize a large, mid-size, and small county who showed the most improvement in their audits, submitting their audits in a timely manner, and sustaining excellence with the highest audit opinions over a three year period. The Award will be presented to San Juan (Large), Los Alamos (Mid-Size), and Quay (Small) Counties at the Closing Session Lunch. An honorable mention should go to Doña Ana (large county), Chaves and Roosevelt (mid-size counties), and Hidalgo and Harding (small counties).

They have done an exceptional job in being highly accountable with state and federal monies.
New Mexico Association of Counties

Adjournment