RESOLUTION 009-2015

REQUIRING THAT ORGANIZATIONS RECEIVE PRIOR APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS BEFORE THE COUNTY WILL ACT AS THE FISCAL AGENT FOR LEGISLATIVE APPROPRIATIONS

WHEREAS, the Catron County Commission met in a regular meeting on August 14, 2014 at 9:00 A.M. in the Catron County Commission Chambers, 100 Main Street, Reserve, New Mexico; and,

WHEREAS, Catron County frequently receives appropriations from the New Mexico Legislature that are intended to support the needs of local organizations, and the County is expected to survive as the fiscal agent for such appropriations, disburse and monitor expenditures from the appropriations under a grant agreement; and,

WHEREAS, as a result of Article IX, Section 10 of the New Mexico Constitution, which prohibits donations to persons, corporations or other non-governmental organizations, structuring transactions so as to avoid constitutional issues with these organizations can often be difficult; and,

WHEREAS, it is conceivable that some appropriations would not be sought at all if the difficulty of complying with Article IX Section 10 were known before the appropriation was sought; and,

WHEREAS, a simple change in the appropriation procedure might bring together the County and organizations seeking funds from the Legislature in advance of a session to determine whether an appropriate transaction is feasible given the need; and,

NOW, THEREFORE, BE IT RESOLVED, Catron County shall only act as a fiscal agent for legislative appropriations to organizations when that organization has received prior approval from the County to request a Legislative appropriation; and,
The requirements for prior approval shall include completion of an application, and, if appropriate, inclusion of the proposed project in the County’s Infrastructure Capital Improvement Plan; and,

Prior Approval shall be granted no later than four (4) weeks prior to the legislative session.

APPROVED, ADOPTED, AND PASSED on this 14th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS

Attest:

Keith Riddle
Catron County Clerk

Richard McGuire
Commissioner, District I

Glynn Griffin
Commissioner, District II

Van J. "Bucky" Allred
Commissioner, District III