

BOARD OF UNION COUNTY COMMISSIONERS
REGULAR MEETING
AGENDA
January 13, 2026

9:00 a.m.

1. Call to order
2. Pledge of Allegiance
3. Approval of agenda and minutes
4. Hospital Report
5. Discussion, Consideration, and Possible Action Items

9:30 a.m. - Citizens' Forum

Ferdinand Garcia - Golden Spread - Capital Outlay

- i. Election of Commission Officers and Board Appointments
- ii. 2026 Meeting Schedule
- iii. Resolution 2026-24 2026 Open Meeting Policy
- iv. Resolution 2026-25 BAR General Fund
- v. Resolution 2026-26 BAR Special Grants Health Council Grant
- vi. Resolution 2026-27 BAR Transfer General Fund to Special Revenue
- vii. Resolution 2026-28 Purchasing and Procurement Policy
- viii. Resolution 2026-29 Training Policy
- ix. Subdivision Regulations Discussion
- x. Road Superintendent Recommendation for Vacation of County Roads
- xi. State Land Office County Road Program for Existing Roads
- xii. Approval of Bills
- xiii. Inventory Items Disposition - Road Department International Water Truck
- xiv. Healthcare Assistance - Approval of Claims
- xv.
- xvi. County Travel Requests

6. Reports

- County Manager Report
 - a. Dumpster S. Amistad Rest Stop
 - b. Capulin School Property
 - c. Meeting with NM DoIT
- Road Superintendent
 - a. Road Grader Leases
- Emergency Service Coordinator Report
- Elected Officials Reports

Adjourn

As of 1/8/2026

Next Meeting - February 10, 2026 @ 9:00

**BOARD OF UNION COUNTY COMMISSION
REGULAR MEETING
December 9, 2025**

BOARD MEMBERS PRESENT:

Chairman Clayton F. Kiesling Commissioner Lloyd 'Red' Miller Commissioner Justin Bennett

OTHERS PRESENT:

Clerk Devian Fields	Manager Brandy Thompson	Road Admin Rachel Farnum
Road Superintendent Gary Wright	Sheriff Curtis Skaggs	HR Director Cheryl Garcia
Manager Luis de la Cruz	Treasurer Shea Arnett	Emergency Manager Trey Sinclair

GUESTS:

Tammie Chavez, CEO Union County General Hospital
Terry Lancaster, CFO Union County General Hospital
Amanda Archuleta, CNO Union County General Hospital
Elizabeth Tafaya, NM DOH Health Promotion
Angela Fleming, NM DOH Nurse Manager

At 9:00 a.m., Chairman Kiesling called the meeting to order in the Commission Chambers located in the Union County Administration Building. The pledge of allegiance was recited.

Commissioner Miller moved to approve the agenda and the regular meeting minutes of November 10, 2025.
Commissioner Bennett seconded. There was no further discussion. Vote: ALL AYE. The minutes were signed.

HOSPITAL REPORT

Tammie Chavez, CEO, reported on statistics for November. The "County Commissioner Monthly Hospital Report" was distributed to the board prior to the meeting. Items covered and discussed included the following: *Provider Recruitment Update, Financial Assistance, Business/Financial Update, Compliance, Radiology Report, Plant Services, Therapy Services, Pharmacy, Laboratory/Infection Control, Union County/Des Moines Health Center, IT and Special Projects.*

Terry Lancaster, CFO, reported on financials for November. The "Union County General Consolidated Executive Financial Summary" and the "Clayton Health Systems September 2025 Notes to Consolidated Financial Statements Period Ending November 30, 2025" was distributed to the board prior to the meeting. Items covered and discussed included the following: *Key Statistics, Statement of Revenue and Expenses – YTD and Balance Sheet.*

Amanda Archuleta, CNO, reported on the following: *Nursing, Swing Bed, Social Work Consults and Trauma.*

CITIZENS FORUM

No one present.

DISCUSSION/POSSIBLE ACTION ITEMS

UNION COUNTY FISCAL AGENT FOR COUNTY HEALTH COUNCIL

Elizabeth Tafaya and Angela Fleming were present to seek the County becoming the Fiscal Agent for the County Health Council. The Commission directed Manager Thompson to work out a contract.

Commissioner Bennett moved to approve Union County Fiscal Agent for County Health Council. Commissioner Miller seconded. There was no further discussion. VOTE: ALL AYE.

RESOLUTION 2026-21 BAR RESERVE FUND

Manager Thompson presented the resolution 2026-21. Discussion was held with explanation that the increase was for the Sedan Fire Station.

Commissioner Bennett moved to approve Resolution 2026-21 BAR Reserve Fund. Commissioner Miller seconded. There was no further discussion. VOTE: ALL AYE.

RESOLUTION 2026-22 2026 HOLIDAY SCHEDULE

Manager Thompson presented resolution 2026-22. No Discussion was had.

Commissioner Miller moved to approve Resolution 2026-22 2026 Holiday Schedule. Commissioner Bennett seconded. There was no further discussion. VOTE: ALL AYE. Resolution was signed.

RESOLUTION 2026-23 RESOLUTION RECOGNIZING PUBLIC SAFETY TELECOMMUNICATORS AS FIRST RESPONDERS

Manager Thompson presented resolution 2026-23. No Discussion was had.

Commissioner Bennett moved to approve Resolution 2026-23 Recognizing Public Safety Telecommunicators as First Responders. Commissioner Miller seconded. There was no further discussion. VOTE: ALL AYE. Resolution was signed.

At 12:25 p.m., a recess was called to break for lunch.

At 1:50 p.m., regular meeting was resumed.

COUNTY ROADS WORK SESSION

Discussion was held on how the Commission wanted to move forward with addressing the roads that need to be closed. The Commission decided to go through the county by sections with the recommendation of the Road Superintendent and Sheriff on roads to close.

APPROVAL OF BILLS

Bills in the amount of \$194,033.30 were presented for review.

Commissioner Bennett moved to approve bills as presented and to give the county manager authority pay any outstanding bills. Commissioner Miller seconded. There was no further discussion. VOTE: ALL AYE. Motion carried.

INVENTORY ITEMS DISPOSITION – ROAD DEPARTMENT INTERNATIONAL WATER TRUCK

There were no items presented.

HEALTHCARE ASSISTANCE-APPROVAL OF CLAIMS

There were no claims.

COUNTY TRAVEL REQUESTS

Manager Thompson and Chairman Kiesling will be traveling to Tucumcari on December 16th for legislative update. Commissioner Miller will be traveling to Albuquerque for a Cattle Growers meeting.

COUNTY MANAGER REPORT

Mgr. Thompson reported that the generator specs have been approved so that project should be moving forward. The Counties audit was submitted. Sedan Fire Station was awarded their funds for the upcoming projects. Tyler Technology contracts have been signed. Courthouse project has been completed.

ROAD SUPERINTENDENT

Road Superintendent Gary Wright reported on a low water crossing on Stewart Ranch, a solution is being looked into. A list of roads will be brought to the Commission for closures.

EMERGENCY SERVICE COORDINATOR REPORT

Emergency Manager Sinclair was present but had no report.

ELECTED OFFICIALS REPORTS

Treasurer Arnett reported that she is still trying to get the account with UMB Bank closed.

ADDITIONAL REPORTS

No Report

EXECUTIVE SESSION

At 2:36 p.m., Commissioner Bennett made motion to enter into Executive Session- Pursuant to NMSAS 1987 Section 10-15-1(H)2- Limited Personnel Matters, Brandy Thompson. Commissioner Miller seconded. Chairman Kiesling request vote. VOTE: Chairmen Kiesling – Aye, Commissioner Bennett – Aye, Commissioner Miller – Aye.

Commissioner Bennett moved to come out of Executive Session at 3:01 p.m., Commissioner Miller seconded. Chairman Kiesling request vote. VOTE: Chairman Kiesling AYE; Commissioner Bennett AYE; Commissioner Miller AYE. Motion carried.

No action was taken.

Regular meeting resumed at 3:01 p.m.

ADJOURN: At 3:02 p.m., Commissioner Miller moved to adjourn. Commissioner Bennett seconded. There was no further discussion. Vote: ALL AYE. Motion carried.

Meeting Announcements: The next regular meeting will be held on Tuesday, January 13th, at 9:00 a.m.

Exhibit – Final Agenda

ATTEST

**Board of Union County Commissioners
Union County, New Mexico**

SEAL

Clayton F. Kiesling - Chairman

Devian Fields – County Clerk

Justin Bennett - Vice Chairman

Lloyd 'Red' Miller - Member

UNION COUNTY BOARD APPOINTMENTS

January 13, 2026

	2025	2026
1. Chairperson	<u>Clayton Kiesling</u>	_____
2. Vice-Chair	<u>Justin Bennett</u>	_____
3. Equalization Board	<u>Rosie DeHerrera</u>	<u>Rosie DeHerrera</u>
	<u>Ferron Lucero</u>	<u>Ferron Lucero</u>
4. Economic Development	<u>Clayton Kiesling</u>	_____
	<u>Brandy Thompson</u>	_____
5. Eastern Plains (EPCOG)	<u>Clayton Kiesling</u>	_____
	<u>Justin Bennett</u>	_____
6. Library Board	<u>Justin Bennett</u>	_____
	<u>Red Miller</u>	_____
7. NERTPO	<u>Clayton Kiesling</u>	_____
	<u>Rachel Farnum</u>	_____
8. Historical Society	_____	_____
9. Chamber of Commerce	_____	_____
	_____	_____
10. RC & D	<u>Justin Bennett</u>	_____
11. NMAC (Elected)	<u>Hollie Sandoval</u>	<u>Hollie Sandoval</u>
12. NM County Insurance Authority	<u>Brandy Thompson</u>	_____
	<u>Cheryl Garcia</u>	_____
13. Ports- to- Plains	<u>Justin Bennett</u>	_____
	<u>Clayton Kiesling</u>	_____
14. NEEDO	<u>Lynette Keeth</u>	_____
	_____	_____
15. Health Council	<u>Kris Lawrence</u>	_____
	<u>Jody Reeser</u>	_____
16. Workforce Solutions	<u>Clayton Kiesling</u>	_____



Clayton Kiesling
Commissioner
Lloyd Miller
Commissioner
Justin Bennett
Commissioner

PO Box 430
Clayton, NM 88415
(575)374-8896
(575)374-2763 Fax
www.unionnm.us

Brandy Thompson
County Manager
Stephen C. Ross
County Attorney

2026 SCHEDULE OF COMMISSION MEETINGS
9:00 AM
BOARD OF COUNTY COMMISSION CHAMBERS
200 COURT ST
CLAYTON NM 88415

JANUARY 13, 2026

FEBRUARY 10, 2026

MARCH 10, 2026

APRIL 14, 2026

MAY 12, 2026

JUNE 9, 2026

JULY 14, 2026

AUGUST 11, 2026

SEPTEMBER 8, 2026

OCTOBER 13, 2026

NOVEMBER 10, 2026

DECEMBER 7, 2026

JANUARY 12, 2027

UNION COUNTY
UNION COUNTY ADMINISTRATION
PO BOX 430 CLAYTON
NEW MEXICO 88415

Board of Commissioners
Clayton Kiesling
Lloyd Miller
Justin Bennett

Brandy Thompson
County Manager
Stephen C. Ross
County Attorney

OPEN MEETINGS ACT POLICY FOR UNION COUNTY

RESOLUTION NO. 2026-24

A SPECIAL RESOLUTION TO CONCLUDE AND DETERMINE IN WHAT MANNER REASONABLE NOTICE SHALL BE GIVEN TO THE PUBLIC RELATIVE TO THE FORMULATION OF PUBLIC POLICY, DISCUSSION OF PUBLIC BUSINESS, OR WHEN FORMAL ACTION IS TAKEN BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NEW MEXICO, OR ANY OF ITS AGENCIES, AUTHORITIES, COMMISSIONS, COMMITTEES, OR OTHER POLICY-MAKING BODIES.

WHEREAS, NMSA 1978, Section 10-15-1 *et seq.* (1953), the Open Meetings Act, provides in relevant part that, "... the formation of public policy or the conduct of business by vote shall not be conducted in a closed meeting ..." and that "... meetings of a quorum of members of any board, commission or other policy-making body of any county held for the purpose of formulating public policy, including the development of personnel, policy, rules, regulations, or ordinances discussing public business or for the purpose of taking any action within the authority or the delegated authority of any board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the Constitution or the provisions of the Open Meetings Act ...";

WHEREAS, the Open Meetings Act further provides in material part that "... any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public ..." and "... the affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body..."; and

WHEREAS, the Board of County Commissioners of Union County, as the "affected body" and by virtue of this Resolution, intends to comply with the requirements of the Open Meetings Act and further, the Board of County Commissioners herein determines reasonable notice to the public of its meetings for the upcoming calendar year as contemplated by the Open Meetings Act.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF UNION, NEW MEXICO that:

SECTION 1: REGULAR AND SPECIAL MEETINGS: NOTICE. Notice of any and all regular and special meetings of the Board of County Commissioners shall be posted three (3) days in advance of any meeting. For purposes of the preceding sentence and this resolution generally, a "meeting" is a meeting of a quorum of members of the Board of County Commissioners or boards, agencies, authorities, commissions, committees, or other policy-making bodies operating under the authority of the Board of County Commissioners, that is held for the purpose of formulating public policy, conducting business by vote, formulating public policy, discussing public business or taking any action within the authority of or the delegated authority, or as otherwise specified in NMSA 1978, Section 10-15-1(A) and (B). Notice of a meeting shall also be provided to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice pursuant to NMSA 1978, Section 10-15-1(D). In addition, there shall be made available to the general public and interested persons a copy of the agenda for each meeting, which shall be posted in the office of the County Clerk of Union County, New Mexico, at least three (3) days prior to the meeting. The agenda shall also be posted at the same time on the Union County website (unionnm.us). Each meeting notice shall include an agenda containing specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such agenda. Except for emergency items, the Board of County Commissioners shall take action only on items appearing on the agenda. The Board of County Commissioners may give notice of its annual meeting schedule in lieu of individual meeting notices so long as the schedule is published as described above; in this instance, agendas of each meeting must be posted and placed on the Union County internet website as provided herein. From January 1, 2026, through December 31, 2026, regular meetings of the Board will be held at the times, days and the place specified in Appendix 1, attached hereto.

SECTION 2: REGULAR MEETINGS, SCHEDULE AND LOCATION. Regular meetings shall be held on the second Tuesday of each month and shall begin at the hour of 9:00 a.m. Regular meetings shall be held in the County Commission Chambers in Clayton, New Mexico. Nothing shall prohibit the Board of County Commissioners from rescheduling a regular meeting with notice as described in Section 1, herein.

SECTION 3: SPECIAL MEETINGS, SCHEDULE AND LOCATION. Special meetings may be held as needed upon notice described in Section 1, herein. A special meeting may be held in the County Commission Chambers in Clayton, New Mexico, or some other location specified in the notice.

SECTION 4: APPLICABILITY. This resolution shall apply to each meeting of a quorum of each board, commission, committee, agency, authority or other policy-making body operating under the authority of the Board of County Commissioners.

SECTION 5: EMERGENCY MEETINGS, NOTICE. Notwithstanding any provision contained herein, the Chairman of the Board of County Commissioners or a majority of the commissioners

may call an emergency meeting of the Board of County Commissioners to consider an emergency matter. "Emergency" refers to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body. Emergency meetings may be conducted at a time or place designated by the person or persons calling the meeting. Notice of such emergency meeting shall be that which is reasonably practicable under the circumstances existing, but at a minimum must include posting of the agenda in advance of the meeting, and notice to local broadcast stations and newspapers of general circulation of such meeting; the notice given may be either written or oral. Within ten (10) days of taking action on an emergency matter, the Board of County Commissioners shall report to the Attorney General's office the action taken and the circumstances creating the emergency, except where the emergency has also resulted in the declaration of a state or national emergency.

SECTION 6: CLOSED MEETINGS. Notwithstanding any provision contained herein, the Board of County Commissioners may call or close a meeting for the purpose of discussing the following items:

- (1) Issuance, suspension, renewal or revocation of a license;
- (2) Limited personnel matters, including the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee;
- (3) Deliberations in connection with an administrative adjudicatory proceeding; for purposes of this subparagraph, an administrative adjudicatory proceeding is a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing;
- (4) Bargaining strategy preliminary to collective bargaining negotiations between the Board of County Commissioners and a bargaining unit representing the employees of the County, and collective bargaining sessions during which the Board of County Commissioners and the representatives of the collective bargaining unit are present;
- (6) Purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source, and discussions concerning competitive sealed proposals solicited pursuant to the Procurement Code;
- (7) Meetings subject to the attorney-client privilege pertaining to the threat of litigation or pending litigation in which Union County is or may become a participant;
- (8) The acquisition or disposal of real property or water rights; or

(9) Those portions of meetings of committees or boards of public hospitals where strategic and long-range business plans or trade secrets are discussed.

If a meeting is closed for any of the foregoing reasons, the closure, if made in an open meeting, shall be approved by a majority vote of a quorum of the Board of County Commissioners; the authority for the closure and the subject to be discussed shall be stated with reasonable specificity in the motion calling for the vote on the closed meeting; the vote shall be taken in an open meeting and the vote of each individual member shall be recorded in the minutes. Only those subjects announced or voted upon prior to closure by the policymaking body may be discussed in a closed meeting. If a closure is called for when the Board of County Commissioners is not in an open meeting, the closed meeting shall not be held until three (3) days' notice of the meeting is given which states the specific provision of the Open Meetings Act authorizing the closed meeting and stating with reasonable specificity the subject to be discussed.

No action may be taken during a closed meeting.

Following completion of any closed meeting, the minutes of the open meeting that was closed or the minutes of the next open meeting if the closed meeting was separately scheduled shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting. The statement shall be approved by the Board of County Commissioners.

SECTION 7. MINUTES. The Board of County Commissioners, and any boards, agencies, authorities, commissions, committees, or other policy-making bodies operating under the authority of the Board of County Commissioners shall keep written minutes of all its meetings, except those meetings closed in compliance with Section 6 of this Resolution. The minutes shall include, as a minimum, the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken which show how each member voted. All minutes shall be open to public inspection. Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Board of County Commissioners.

SECTION 8. ADDITIONAL NOTICES. Notwithstanding any provision contained herein, the Chairman of the County Commission may establish such additional notice as he may deem necessary and advisable under the circumstances.

SECTION 9. CITIZENS' FORUM. Meetings of the Board of County Commissioners shall include on the agenda for each Regular Meeting an item entitled "Citizens Forum" wherein citizens may express any views or issues of concerns to the Commission and Union County citizens; provided, however, that in order to allow the County Manager, staff, and Commission to respond adequately to citizens comments, interested citizens who wish to address the Commission in the Citizens Forum may be required to provide the Union County

Administrative staff with notice of the substance of the proposed comments at least three (3) days prior to scheduled meetings.

SECTION 10. RESCINDING PRIOR RESOLUTIONS. Resolution No. 2025-37 amended, adopted on January 14, 2025 is hereby rescinded and superseded by this Resolution. Any prior resolutions concerning public notice under the Open Meetings Act are hereby rescinded and superseded by this resolution.

PASSED, ADOPTED, APPROVED AND SIGNED THIS 13TH DAY OF JANUARY 2026.

BOARD OF UNION COUNTY COMMISSIONERS

A T T E S T

Chairman

S E A L

Member

Member

County Clerk

UNION COUNTY
Resolution No. 2026-25

Authorization of General Fund (401) (DFA # 11000) budget increase

WHEREAS, the Board of Commissioners of Union County meeting in regular session on January 13, 2026 did propose to make budget adjustments; and

WHEREAS, the County of Union does, through Budget Resolution 2026-25 ask that authorization for the budgetary adjustments be granted, as summarized in the attachment; and

WHEREAS, the County of Union wishes to increase expenditures in the General Fund by one hundred seventy-eight thousand and sixteen dollars (\$178,016) to include the expenditure list attached.

NOW THEREFORE, BE IT RESOLVED the Board of Commissioners of Union County does hereby approve the aforementioned budget adjustments and respectfully requests the authorization for the budgetary adjustments and revisions be granted by the Local Government Division of the Department of Finance and Administration of the State of New Mexico.

IN WITNESS WHEREOF, we have hereunto set our hands and official seal this 13th day of January 2026.

BOARD OF COMMISSIONERS - UNION COUNTY

ATTEST:

Chairman

Devian Fields, County Clerk

Member

Member

State of New Mexico - DFA Local Government Division
 Budget Adjustment Request - Union County - 2026
 BAR General Fund

Bar ID	Contact	Phone	Email	Status
15-36-21770				ENTITY

Details

Fund	Department	Object Code	PreAdjusted Budget	Adjustment	Adjusted Budget
11000 General Operating Fund	0001 No Department	10104 State Required Reserve	983,029.50	44,504.00	1,027,533.50
11000 General Operating Fund 401	1004 County Clerk 04	56010 Software 2017	22,000.00	35,100.00	57,100.00
11000 General Operating Fund 401	1006 County Treasurer 07	56010 Software 2017	15,850.00	32,200.00	48,050.00
11000 General Operating Fund 401	2001 Manager 02	51020 Salaries - Full-Time Positions 2002	208,713.00	25,600.00	234,313.00
11000 General Operating Fund 401	2001 Manager 02	52010 FICA - Regular 2064	15,967.00	1,975.00	17,942.00
11000 General Operating Fund 401	2001 Manager 02	52020 Retirement 2063	44,435.00	5,450.00	49,885.00
11000 General Operating Fund 401	2001 Manager 02	52021 Retiree Health Care 2061	4,174.00	525.00	4,699.00
11000 General Operating Fund 401	2001 Manager 02	52030 Health and Medical Premiums 2065	71,260.00	13,561.00	84,821.00
11000 General Operating Fund 401	2001 Manager 02	52100 Workers' Compensation Premium 2066	30.00	5.00	35.00
11000 General Operating Fund 401	2001 Manager 02	53030 Travel - Employees 2010	9,000.00	1,000.00	10,000.00
11000 General Operating Fund 401	2001 Manager 02	55030 Contract - Professional Services 2102	2,000.00	25,000.00	27,000.00
11000 General Operating Fund 401	2001 Manager 02	56010 Software 2017	31,500.00	27,600.00	59,100.00
11000 General Operating Fund 401	2006 Operations & Maintenance 03	57170 Utilities - Electricity 2025	75,000.00	10,000.00	85,000.00

Justification

Compliance with Section 6-6-2, NMSA, 1978 compilation:

1. The requested budget adjustments were authorized at a scheduled Governing Body meeting open to the public on **2026-01-13**
2. Justification should provide a sufficient explanation for budget adjustment. Backup documentation such as grant award letter or other documents requested by Budget and Finance Analysts, should be submitted on LGBMS.

Approvals

Name	Role	Date
	Entity Submitter Analyst Bureau Chief	1/8/26

UNION COUNTY
Resolution No. 2026-26

Authorization of Intergovernmental Grant Fund (604) (DFA # 21800) budget increase

WHEREAS, the Board of Commissioners of Union County meeting in regular session on January 13, 2026 did propose to make budget adjustments; and

WHEREAS, the County of Union does, through Budget Resolution 2026-26 ask that authorization for the budgetary adjustments be granted, as summarized in the attachment; and

WHEREAS, the County of Union wishes to increase revenue and expenditures in the Intergovernmental Grant Fund by one hundred eleven thousand dollars (\$111,000) for the acceptance of the Department of Health Intergovernmental agreement for the Union County Health Council and related expenditures.

NOW THEREFORE, BE IT RESOLVED the Board of Commissioners of Union County does hereby approve the aforementioned budget adjustments and respectfully requests the authorization for the budgetary adjustments and revisions be granted by the Local Government Division of the Department of Finance and Administration of the State of New Mexico.

IN WITNESS WHEREOF, we have hereunto set our hands and official seal this 13th day of January 2026.

BOARD OF COMMISSIONERS - UNION COUNTY

ATTEST:

Chairman

Devian Fields, County Clerk

Member

Member

State of New Mexico - DFA Local Government Division
 Budget Adjustment Request - Union County - 2026
 BAR Special Grants Health Council

Bar ID	Contact	Phone	Email	Status
15-36-21776				ENTITY

Details

Fund	Department	Object Code	PreAdjusted Budget	Adjustment	Adjusted Budget
21800 Intergovernmental Grants 604	0001 No Department 00	47499 Other State Grants 1255	0.00	111,000.00	111,000.00
21800 Intergovernmental Grants 604	2002 General Administration 00	57999 Other Operating Costs 2113	0.00	111,000.00	111,000.00

Justification

Compliance with Section 6-6-2, NMSA, 1978 compilation:

1. The requested budget adjustments were authorized at a scheduled Governing Body meeting open to the public on **2026-01-13**
2. Justification should provide a sufficient explanation for budget adjustment. Backup documentation such as grant award letter or other documents requested by Budget and Finance Analysts, should be submitted on LGBMS.

Approvals

Name	Role	Date
	Entity Submitter Analyst Bureau Chief	11/8/26

UNION COUNTY
Resolution No. 2026-27

Authorization of General Fund (401) (DFA # 11000) to Special Revenue (600) (DFA #29900) transfer

WHEREAS, the Board of Commissioners of Union County meeting in regular session on January 13, 2026 did propose to make budget adjustments; and

WHEREAS, the County of Union does, through Budget Resolution 2026-27 ask that authorization for the budgetary adjustments be granted, as summarized in the attachment; and

WHEREAS, the County of Union wishes to transfer five hundred thousand dollars (\$500,000) from the General Fund to the Special Revenue Fund.

NOW THEREFORE, BE IT RESOLVED the Board of Commissioners of Union County does hereby approve the aforementioned budget adjustments and respectfully requests the authorization for the budgetary adjustments and revisions be granted by the Local Government Division of the Department of Finance and Administration of the State of New Mexico.

IN WITNESS WHEREOF, we have hereunto set our hands and official seal this 13th day of January 2026.

BOARD OF COMMISSIONERS - UNION COUNTY

ATTEST:

Chairman

Member

Devian Fields, County Clerk

Member

State of New Mexico - DFA Local Government Division
 Budget Adjustment Request - Union County - 2026
 BAR Tranfer General Fund

Bar ID	Contact	Phone	Email	Status
15-36-21777				ENTITY

Details

Fund	Department	Object Code	PreAdjusted Budget	Adjustment	Adjusted Budget
11000 General Operating Fund 401	0001 No Department 00	61200 Transfers Out 1950	1,092,000.00	500,000.00	1,592,000.00
29900 Other Special Revenue 600	0001 No Department 00	61100 Transfers In 1951	500,000.00	500,000.00	1,000,000.00

Justification

Compliance with Section 6-6-2, NMSA, 1978 compilation:

1. The requested budget adjustments were authorized at a scheduled Governing Body meeting open to the public on **2026-01-13**
2. Justification should provide a sufficient explanation for budget adjustment. Backup documentation such as grant award letter or other documents requested by Budget and Finance Analysts, should be submitted on LGBMS.

Approvals

Name	Role	Date
	Entity Submitter Analyst Bureau Chief	1/8/26



Resolution 2026-28 Approving the Union County Policy Governing Purchasing and Procurement

Supersedes prior Resolution 2021-41

WHEREAS, Union County, State of New Mexico, acting by and through its duly elected Board of Commissioners, hereinafter referred to as County, is authorized pursuant to Section 13-1-97, NMSA, 1978 Compilation, to establish a central purchasing office and establish guidelines for the purchase of materials and services by Union County; and,

WHEREAS, the Union County Board of Commissioners recognizes that a Purchasing and Procurement Policy is necessary to provide the proper procedures to be followed by all County elected officials and employees in all purchasing and procurement activities; and,

WHEREAS, the Union County Board of Commissioners desires to implement a policy that details those procedures of purchasing and procurement to which each elected official and employee are required to adhere; and,

WHEREAS, in accordance therewith; Union County is required to designate a Chief Procurement Officer; and,

WHEREAS, the County hereby designates the County Administration Office as the Union County Procurement Office and the directs the County Manager to designate the Chief Procurement Officer based upon the State Procurement Code; and,

WHEREAS, it will be the responsibility of the Procurement Officer or their designee to perform all duties and responsibilities under this Resolution in accordance with the State of New Mexico Procurement Code, Regulations and Union County policies.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Board of Commissioners that the attached Purchasing Policy, be and hereby is ratified, adopted, and approved by the Union County Commission, and this Policy shall control the manner and procedures followed by County elected officials, County staff and employees for all purchasing and procurement activities.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2026 at Clayton, New Mexico, by the Board of Commissioners of Union County, New Mexico.

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

Chair

Attest:

Member

Devian Fields, County Clerk

Member

SECTION I: GENERAL PROVISIONS

- 1.1 **User Applicability.** This Purchasing and Procurement Policy (hereinafter referred to as " this Policy") and its procedures apply to Elected Officials, all department agencies, personnel, individuals, or otherwise under the supervision of, Union County Government. The purchasing function shall be conducted in a manner above reproach, with complete impartiality and without preferential treatment. Users shall avoid any conflicts of interest. No user may solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of value from any offeror.
- 1.2 **Administration.** The County Manager shall be responsible for the administration of this Policy and shall verify the Administrative Office ensures that all provisions of law and this Policy are followed. Supplements issued by the Administrative Office shall be approved by the County Manager and certified copies of all supplements shall be attached to and made a part of this Policy. Upon the absence of the County Manager, the Administrative Office will be responsible for administration of this Policy.
- 1.3 **Implementation.**
 - A. **Administrative Office.** The term Administrative Office is used to describe the office and/or personnel directly responsible for establishing budgetary control for expenditure of funds and accounts payable procedures for payment of purchases made. The Administrative Office will contain the County Procurement Officer.
 - B. **Chief Procurement Officer.** The Chief Procurement Officer shall be a County employee who will be responsible for the control of the procurement of items of tangible personal property, services and construction for Union County. The Procurement Officer shall be certified by the State of New Mexico at the time of appointment and shall be responsible for recertification every two (2) years as required by §13-1-95.2 NMSA 2014.
- 1.4 **Authority and Responsibility.**
 - A. Only individuals authorized by the Elected Official or Department Head shall be permitted to make Union County purchases consistent with the provisions of this Policy. Authorization shall be submitted to the Administrative Office. All authorized users shall receive and sign for a copy of this Policy, and shall thereby be responsible for the knowledge and appropriate compliance and use of the provisions of this Policy.
 - B. Authorized users may contact vendors to obtain technical information, prices, and delivery information for planning purposes. The Administrative Office will review the technical information, confirm prices are reasonable, ensure availability of County funds, and issue a purchase order. All quotations documented or received by users shall be attached to the purchase order.
- 1.5 **Approved Vendors.** The Administrative Office shall maintain a current list of vendors with whom the County does business.
- 1.6 **Definition of a Purchase.** For the purpose of this Policy, a purchase is the commitment, obligation, and/or expenditure of Union County supervised funds to obtain goods or services.
- 1.7 **Unauthorized and Questionable Purchases.** Any purchase which is not legally and appropriately approved within the County budget or by other County Commission action, or which does not substantially comply with the provisions of the State Statutes, particularly the

State Procurement Code, and the provisions of this Policy, shall be considered an unauthorized County purchase and thereby not subject to payment by the County. **The County hereby declares and establishes that it will assume no responsibility for payment of unauthorized purchases. Furthermore, any individual initiating or otherwise executing any unauthorized purchase is solely responsible for payment. All questionable purchases shall be submitted to the County Manager for review and determination under the provisions of this Policy.** Union County is a tax-exempt entity and is not required to pay tax on any purchase of goods. *All* County purchases of goods should reflect the County's tax-exempt status. The amount of taxes on any invoice where a tax exemption has not been taken may be an unauthorized purchase, depending upon the circumstances.

All County employees agree to indemnify and hold Union County harmless from any unauthorized purchase or acquisition made by such employees including payment of the County's attorney's fees.

- 1.8 **Commission Approval of Unauthorized Purchases.** Any purchase determined by the County Manager to be unauthorized shall be considered for approval of payment at a public meeting of the County Commission. Unauthorized purchases shall not be approved or processed for payment prior to Commission approval, and shall be attached to the purchasing transaction file for audit purposes.
- 1.9 **Penalties.** Any business or person that willfully violates the Procurement Code is guilty of a misdemeanor if the transaction involves fifty thousand dollars (\$50,000) or less; or a fourth-degree felony if the transaction involves more than fifty thousand dollars (\$50,000).
- 1.10 **Consistency with State Procurement Code.** The provisions of this Policy are subject to change in accordance with New Mexico Statute updates or State Procurement Code revisions. Any revision that is inconsistent with the provisions of this Policy shall be resolved in favor of the State Statutes or State Procurement Code. All authorized users shall be given a copy of each revision and notified that it is in effect.
- 1.11 **Amendment.** Amendments to this Policy shall be provided to all user offices/departments for comments. Amendments shall then be executed by resolution approved by the County Commission prior to implementation.
- 1.12 **Interpretation of Policy and Supplements.** In any case that a provision of this Policy is vague or unclear, the County Manager shall provide a written supplement for clarification of the provision, which shall be implemented by all departments/offices.
- 1.13 **Solicitations.** Solicitations of County employees by private company agents on County time or County property or through County Offices or Departments are prohibited, except upon request by the County, or for programs or proposals available to all offices/departments authorized and approved by the County Manager. The Administrative Office may accept agent solicitations at their discretion for the purpose of gaining information regarding new or existing companies and their representatives and/or products, if such is determined to be potentially beneficial to the County.

SECTION II: STANDARD PURCHASING PROCEDURE

2.1 **Standard Purchasing Procedure Applicability.** "Standard Purchases" are described as systematic, planned, and necessary purchases for administration and operation of a project, division, and/or Department. There shall be no exception to these standard procedures except as provided in "Non-Standard, Urgent, and Emergency Purchases Procedures" in Section III of this policy.

2.2 **Initiating a Purchase: Purchase Order/Requisition.** All standard purchases as authorized by this section require that the buyer utilize a Union County purchase order to be issued prior to placing an order or making a purchase. All purchase orders must be submitted to the Administrative Office for approval. The Administrative Office has the right to refuse approval of any purchase or request. The purchase order/requisition form shall contain all information as required by the Administration Office to include, but not limited to, the following:

- A. **Vendor**-The business to which the purchase order will be issued.
- B. **Vendor Number**-To be taken from the mainframe database or listing of vendors. Numbers for new vendors shall be assigned only through the Administrative Office. A vendor number must be on file for the vendor prior to issuance of a purchase order.
- C. **Terms**-Union County pays net within 30 days of receipt of invoice unless other arrangements are made and included on this section of the purchase order.
- D. **Quantity**-Specify a unit and the approximate amount per unit being requested. Units may be "each", "box", "gallons", "reams", "pounds", etc. If exact quantity is not known, users shall provide the best estimate of quantity.
- E. **Description of Item**-The description of the item(s) or service(s) should be sufficiently complete to identify the item being purchased. Services that have been obtained through the use of an agreement must reference the agreement number and attach a copy of the agreement. Services that have been obtained through the use of a bid must reference the bid number. Commonly used items may be identified by brand names.
- F. **Estimated Amount**-Calculation of the quantity multiplied by the unit price. If exact cost cannot be determined, users shall provide the best estimate of cost.
- G. **Department**-Enter name of department or office initiating the purchase order.
- H. **Employee**-Signature of the Elected Official, Department Director or authorized user, as recorded by the Administrative Office.
- I. **Account Number**-The appropriate budget line-item account number to be charged. It is the authorized user's responsibility to assign the correct line-item account number to the purchase order. Multiple line-item accounts may be included in the purchase order.

2.3 **Authorization of Purchase Orders.** The completed purchase order form shall be submitted to the Administrative Office for authorization, date and number assignment. The user Department/Office shall inform the vendor that the purchase order must be included on the invoice submitted to the County for payment.

Purchases executed prior to obtaining a purchase order are prohibited except as otherwise provided in "Non-Standard and Emergency Purchasing Procedures", Section III of this Policy.

Adding different items to a purchase order after it has been authorized is prohibited, unless approved by the Administrative Office to ensure compliance.

2.4 Invoices. An invoice is an itemized statement submitted by the vendor to the County for payment of material or services delivered to the County. It is the responsibility of the vendor to ensure that a purchase order *is* provided prior to issuing materials or services and the vendor shall include the purchase order number on the invoice submitted to the County for payment. In cases that purchase order number *s* are not included on the invoice when required, the vendor shall be informed. The Administrative Office, at its discretion, is authorized to return any invoices, which do not reference a valid purchase order number. The County will not be responsible for purchases made without an executed and authorized purchase order.

The vendor shall be notified that repeated improper invoicing is sufficient cause to exclude the Vendor from the County's purchasing program. Also, the County may refuse payment in any case that there is an unauthorized purchase.

- A. **Verification of Invoices.** All invoices shall be reviewed by user Department/Office prior to payment to ensure materials or services have been received and to certify authorization for payment. The certification statement requires an authorized signature, date of signature, and purchase order number on the invoice. It will be the responsibility of user Department/Office to ensure outstanding invoices are promptly submitted for payment.
- B. **Processing for Payment.** The Administrative Office will ensure that all invoices received are appropriately authorized and certified prior to payment. The Administrative Office shall be responsible for ensuring that appropriate procedures are established and used for payment after invoices are received to include timely payments and to ensure that discounts are received and late charges avoided.

2.5 Over Expenditures. Purchase orders shall not be issued, approved, or processed in cases that line items will be over expended, except as approved by the Administrative Office in accordance with State and County regulations and provisions, and provided there are legally sufficient budget balances available elsewhere. It shall be the primary responsibility of the authorized user to ensure sufficient funds are available prior to initiating a purchase. The Administrative Office shall provide sufficient information, data, or reports, monthly, to keep purchasers properly updated on budget balances, and shall notify any office, department, or agency head, after analysis of the monthly budget report, of any indications of any existing or impending budget balance problems.

2.6 Competitive Purchases. Authorized users shall attempt to ensure that all purchases are made at the best possible prices. Purchases shall be made in accordance with the following provisions:

- A. **Less than \$20,000.** Purchases may be processed without quotations. Award can be made without securing competition if the user determines that the price received is reasonable. The user is not precluded from obtaining quotes from more than one vendor if the user suspects that the price is not reasonable or determines that it is in the best interest of the County.
- B. **\$20,000 to \$59,999.99.** Written Quotes. Purchases shall be made according to the best obtainable price provided at least three (3) bona fide written quotes are obtained on preprinted Request for Quotations forms, on the offering vendor's official letterhead or quote form, or through an email, and submitted for approval to the Administrative Office. Purchases may only be made after receiving approval. The Administrative Office reserves the right to delay approval, to seek additional confirmation or information regarding any quote, and to request additional quotes be obtained. The Administrative Office may procure services, construction

or items of tangible personal property having a value not exceeding sixty thousand dollars (\$60,000) upon obtaining and documenting three quotes (including written, oral, electronic and advertised).

- C. **\$60,000 and Above.** All purchases sixty thousand dollars (\$60,000) or above require formal bid procedures as specified by State regulations and shall be processed and executed by the Administrative Office. Such purchases must be approved in the current budget, and purchases not approved in the current budget require approval by the County Commission prior to advertising for bids. Bids may be rejected by the Administrative Office or County Manager in the event that they are in excess of budgetary limits, are non-responsive to specifications, or due to irregularities in the bid specifications.
- D. **Written Quote Exceptions.** In the event there are not three (3) known vendors which have materials/services available, less than three (3) quotes are permissible provided the user attaches the quotes obtained and identifies, on the quote form or on separate attachment, the names of other vendors contacted who could not provide the materials/services. The Administrative Office reserves the right to delay approval or require three (3) quotes prior to approving a purchase.
- E. **State of Federal Purchasing Contracts and Cooperative Bid Exceptions.** Quotations or bids are not required for purchases under this section. Purchases may be made providing that the vendor has a State or Federal Purchasing Contract. Procurement involving State or Federal Purchasing Contracts will have to be approved by Union County Administration. The Administration Office shall keep copies of all federal, state or other such contracts for a period of six years.
Federal and/or State contract numbers must be identified on the purchase order, and a copy of the contract must be kept on file by the Administrative Office, either physically or electronically, for a period of six years.
- F. **Bid Specifications.** Specifications should be written primarily to address the need of the County for a specific item to perform a specific function. Specifications written for purchases shall not be "closed or exclusive", or otherwise written in such a way as to intentionally favor or exclude a vendor. Reference to specific types or quality shall be followed by wording "or equal" and all specifications regardless of wording shall be considered as "or equal". It shall be the authorized user's responsibility to ensure that all specialized technical aspects of specifications are correct and appropriate. It shall be the Administrative Office's responsibility to review and ensure that all other provisions, procedures and considerations are correct and appropriate, and to address any questionable unusual or inappropriate specifications prior to processing. The bidding process may be waived by the Administrative Office in cases that a vendor has a State, Federal or other qualified Purchasing Contract.

All bids submitted to the Commission for award shall indicate whether a State or Federal Purchasing Contract is available and those contracts shown for comparison. These contract prices may be considered as an option for award.

2.7 **Sole Source Purchase.**

A contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost when the Administrative Office determines in writing that:

- There is only one source for the required service, construction or item of tangible personal property.

- The service, construction or item of tangible personal property is unique and this uniqueness is substantially related to the intended purpose of the contract; and,
- Other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract.
- The Procurement Officer shall use due diligence in determining the basis for the sole source procurement, including reviewing available sources and consulting the using agency, and still include its written determination in the procurement file.
- The Procurement Officer shall conduct negotiations, as appropriate, as to price, delivery and quantity in order to obtain the price most advantageous to Union County.
- The Procurement Officer shall not circumvent this section by narrowly drafting specifications so that no one predetermined source would satisfy these requirements.

2.8 Purchase of Inventory Items

- A. It shall be the responsibility of the Administrative Office to identify inventory items in accordance with all current State and County provisions and laws.
- B. Accessories to new capital purchases may be purchased as part of the capital purchase provided funds are budgeted, noted on the purchase order, and assigned the same fixed asset number as the original capital purchase.

2.9 Procurement of Professional Services

For each public works project, architectural, landscape architectural, construction management, engineering and surveying services will be procured in accordance with Sections 13-1-120 through 13-1-123, **NMSA, 1978**.

- i. Professional services, not exceeding \$60,000, may be procured utilizing an approach that would be in the best interest of the residents of Union County. Otherwise, the following professional service procurement process shall be adhered to:
- ii. \$60,001 and above: Any Professional Service (excluding architectural, landscape architectural, construction management, engineering and surveying services) exceeding \$60,000 requires a formal Request for Proposal, as specified by the State of New Mexico Procurement Code and Regulations; and, shall be processed and executed by the County Purchasing Office through formal procedures.

2.10 Personal Use Prohibited. No purchases shall be made for the purpose of personal or private use.

SECTION III. NON-STANDARD, URGENT AND EMERGENCY PURCHASING PROCEDURES

3.1 Non-Standard, Urgent and Emergency Procedures: General Provisions. The provisions of this section apply to all purchases except those purchases subject to the standard purchasing procedures specified in Section II of this Policy. Generally, this section includes all purchases which are justifiably urgent, are emergencies, due to insufficient time required for standard processing, or involve other non-standard procedures. It is the responsibility of the authorized user to ensure that all purchases made under provisions of this section are immediate and unforeseen. Questionable purchases shall be reported to and reviewed by the County Manager. Purchases that could have been reasonably pre-planned or anticipated shall not be considered as an emergency or urgent purchase.

3.2 Urgent or Emergency Purchases. Urgent or Emergency purchases are permissible provided they are in accordance with the following provisions:

- A. Urgent Purchases. (For purchases to be done by Purchase Orders)** An urgent purchase is a local or non-local purchase during or after normal working hours of the Administrative Office that justifiably requires immediate purchase and which cannot reasonably or practicably be communicated to the Administrative Office to obtain a purchase order number prior to the purchase being made.
- B. Emergency Purchases.** The Administrative Office may make emergency procurements when there exists a threat to public health, welfare, safety or property requiring procurement under emergency conditions; provided that emergency procurements shall be made with competition as is practicable under the circumstances.

An emergency condition is a situation that creates a threat to public health, welfare, or safety such as may arise by reason of floods, fires, epidemics, riots, acts of terrorism, equipment failures or similar events and includes the planning and preparing for an emergency response. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

1. The functioning of government;
2. The preservation or protection of property; or
3. The health or safety of any person.

Emergency procurements shall not include the purchase or lease purchase of heavy road equipment.

The Administrative Office shall use due diligence in determining the basis for the emergency procurement and for the selection of the particular contractor. The determination shall be in writing and included in the procurement file.

- C. Urgent or Emergency Purchase Orders.** All urgent or emergency purchase orders shall have the words "Urgent" or "Emergency" documented on the form as is applicable, and shall be accompanied by a receipt or invoice for the purchase.
- D. Justification.** All emergency and urgent purchases shall be justifiable and the top-level Department Head or Elected Official shall be responsible for attaching a written justification.

3.3 Open Purchase Orders. For the purpose of this Policy, open purchase orders, are purchase orders against which multiple billings will be submitted over a specific period of time. All open purchase orders shall be accompanied by any required applicable documentation. An open purchase order will be closed out at the end of the fiscal year.

Authorization to use open purchase orders in all cases shall require adherence to Section 2.6 of this Policy and prior approval by the Administrative Office. The open purchase order shall include an estimated total cost of all purchases anticipated during the specific period. Actual invoices for all purchases made using an open purchase order shall be submitted to the Administrative Office upon receipt and the final invoice shall be marked **FINAL** to denote closing of the open purchase order.

Open Purchase Orders shall not be used for the purchase of items to be tagged. Cases of improper use of open purchase orders shall be reported to the County Manager.

3.4 End of Fiscal Year. Special purchasing procedures shall be followed to ensure that State law and regulations and proper accounting procedures are followed to appropriately close out at the end of the fiscal year. Provisions are as follows:

- A. **30 days prior to year ending:** 30 days prior to the end of the fiscal year, purchase orders will be issued only for purchases in which invoices will be received within an estimated thirty (30) days, except as otherwise specifically approved by the Administrative Office.
- B. **15 days prior to year ending:** There shall be no purchase orders issued or processed within 15 days prior to the end of the fiscal year except in extreme emergencies or as specifically approved otherwise by the Administrative Office.



Resolution 2026-29

**RESOLUTION ESTABLISHING THE UNION COUNTY TRAINING PROGRAM
POLICY**

WHEREAS, the Union County employees are our most valuable asset and education is our most effective method of training them; and,

WHEREAS, the intention of this Policy is to protect the County's human capital and financial resources from accidental and intentional loss through standardization.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Board of Commissioners that Union County Mandatory Training Program Policy is hereby approved.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2026 at Clayton, New Mexico, by the Board of Commissioners of Union County, New Mexico.

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

Chair

Attest:

Member

Devian Fields, County Clerk

Member

Union County Mandatory Training Policy

Union County is committed to ensure the highest level of service to our residents and minimize risk to our staff or out county. The purpose of this policy is to protect the County's human capital and financial resources by guiding staff to mandatory training.

1. Definition of Mandatory Training

For the purposes of this policy, mandatory training is any statutory, regulatory or compulsory training Union County requires for employees to:

- A. Comply with laws and regulations
- B. Carry out duties safely and efficiently
- C. Reduce or address risk
- D. Maintain competence to standards expected of local government public servants.

2. Training Requirements

- A. All employees are required to participate in mandatory training each calendar year. Training is a Union County requirement and considered a minimum job expectation of all employees.
- B. Training is intended to provide employees with the information necessary to be aware of compliance and fraud issues as well as to help instill practices that ensure compliance with relevant laws, regulations and County policy.
- C. Training is intended to provide employees with the information necessary to be aware of compliance and fraud issues as well as to help instill practices that ensure compliance with relevant laws, regulations and County policy.
- D. Other training may be deemed essential for specific roles within the County or for specified head/elected official to notify all staff of required training for that office.
- E. Other training may be deemed essential following changes or developments in service delivery, audit review, safety or risk incidents, complaints or when a particular need is identified.
- F. The roster of required classes appears in Appendix A. Appendix A may be revised or updated by the County Manager as needed.

3. Supervisor Responsibility

It is the responsibility of all department heads/elected officials to:

- A. Ensure their staff is aware of the need to comply with mandatory training.
- B. Monitor mandatory training compliance for all staff and ensure documentation is sent to the personnel file;
- C. Plan the attendance of their staff at relevant mandatory training and give time to attend.
- D. Follow up with staff who have failed to attend mandatory training, investigate why and ensure training is arranged as soon as possible.

4. Employee Responsibility

It is the responsibility of all employees to:

- A. Ensure mandatory training requirements are met.
- B. Identify when training is required and agree to a date for this with their manager or supervisor.
- C. Give priority to mandatory training and make every effort to attend training sessions arranged for this purpose.
- D. Alert their department head/elected official and the provider of the training (this in most cases will be HR) if they are unable to attend.
- E. Sign the attendance record for the session/program.
- F. Apply the learning to their area of work/role.

5. Subject Matter Experts (SME)

Subject Matter Experts (SME) are expected to keep up to date with changes in legislation, national directives and requirements within their area of responsibility to ensure that the training implications are identified and appropriate training organized, provided and documented. It is the responsibility of the Subject Matter Expert (SME) to :

- A. Plan, deliver, evaluate and conditionally improve training sessions/programs.
- B. Maintain their expertise in their subject area
- C. Ensure that participants record their attendance at sessions/programs using a sign in sheet and is documented to the employee's personnel file.
- D. Contribute to the evaluation, review and development of mandatory training as required.

6. Recording, Reporting and Monitoring Mandatory Training

- A. Accurate recording of mandatory training records is essential as it provides the evidence of compliance required by internal and external assessing bodies. All department heads/elected official must maintain a record of mandatory staff training/learning event attendance. Further, completion of a training should be included with an employee's personnel record.
- B. All staff attending mandatory training events must record their attendance or participation in the applicable system. For some this may be signing an attendance record or simply logging into a training system.
- C. When a participant fails to attend a mandatory training event the supervisor must reschedule the mandatory training as soon as practically possible. It is recognized that there are occasions when staff may not be able to attend all or some of the mandatory training due to illness, disability or unavoidable domestic or other commitments. In these instances, the department head/elected official in consultation with Human Resources, must make alternative arrangements to ensure that these staff members are able to complete the mandatory training requirements for their position.
- D. New employees hired after September 30th of the calendar year will be required to complete an abbreviated list of required trainings during that calendar year, and will proceed to the full schedule in the next complete calendar year.

Appendix A

Those employed at the time of this policy's adoption will have one year to comply with mandatory training requirements unless otherwise noted in the comments section.

Course Name	Course Entity	Frequency	Requirement	Comments
Sexual Harassment in the Workplace	Available software	At hire and annually	All Employees	Department
Sexual Harassment Training for Managers	Available software	At hire and annually	Heads and Elected Officials	
A Welcoming Culture	Available software	At hire and every 3 years	All Employees	
Handling Difficult Customers for Local Government	Available software	At hire and every 5 years	All Employees	
Stress and Your Health	Available software	One time	All Employees	
Risk Awareness Program (Rap) Training	In House Rap	Weekly	All Employees	Ongoing safety program
Bullying in the Workplace	Available software	At hire and annually	All Employees	
Ethical Behavior in Local Government	Available software	At hire and annually	All Employees	
Diversity in the Workplace	Available software	At hire and annually	All Employees	
Dealing with Heat Stress	Available software	At hire and annually	Road and Maintenance	
Bloodborne Pathogens for Public Entities	Available software	At hire and annually	All Employees	
PASS Method - Fire Extinguishers	Available software	At hire and annually	All Employees	

Preventing Slips, Trips and Falls	Available software	Annually	All Employees
Basic First Aid	Available software	Annually	All Employees
Power Tool Safety	Available software	Every 2 years	Road and Maintenance
Personal Protective Equipment	Available software	Every 2 years	Road and Maintenance
Electrical and Fire Safety	Available software	Every 2 years	Road and Maintenance
Defensive Driving	Coordinated by HR	Every 3 years	All Employees
CPR	Coordinated by HR	Every 2 years	Affected employees
Lock out/Tag out 101	Available software	Annually	Road and Maintenance
Emergency Action Plan and Hazard Communication Program	Coordinated by HR	At hire	All Employees
Company Nurse and Accident & Illness Reporting	Coordinated by HR	At hire and every 3 years	All Employees
Discrimination	Coordinated by HR	At hire and annually	All Employees
Fall Protection and Ladder Safety	Available software	At hire and annually	Road and Maintenance
Protection from Ransomware & Phishing Attacks	Available software	Monthly	Affected employees
Cybersecurity Threats to Public Entities	Available software	Monthly	Affected employees

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF UNION COUNTY
STATE OF NEW MEXICO

UNION COUNTY SUBDIVISION REGULATIONS
AMENDED AND RESTATED
WITH APPLICABLE RESOLUTIONS

AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

DATE: _____

RECORDING INFORMATION:

CONTENTS

ARTICLE 1. GENERAL PROVISIONS

- Section 1.1. Title
- Section 1.2. Authority
- Section 1.3. Purpose
- Section 1.4. Jurisdiction
- Section 1.5. Written Decision
- Section 1.6. Interpretation

ARTICLE 2. DEFINITIONS

ARTICLE 3. PRE-APPLICATION PROCESS

- Section 3.1. Pre Application Process
- Section 3.2. Pre Application Data Requirement

ARTICLE 4. PRELIMINARY PLAT

- Section 4.1. Preliminary Plat Submittal
- Section 4.2. Review Agencies
- Section 4.3. Public Hearings
- Section 4.4. Expiration of Preliminary Plat
- Section 4.5. Preliminary Plat Data Requirements

ARTICLE 5. FINAL PLAT

- Section 5.1. Final Plat Submittal
- Section 5.2. Decision on Final Plat
- Section 5.3. Final Plat Data Requirements
- Section 5.4. Advertising Standards
- Section 5.5. Requirements Prior to Sale
- Section 5.6. Recording

ARTICLE 6. SUMMARY REVIEW

- Section 6.1. Eligibility
- Section 6.2. Summary Review Data Requirements

ARTICLE 7. SPECIAL PROCEDURES

- Section 7.1. Succeeding Subdivisions
- Section 7.2. Resubdivision
- Section 7.3. Plat Vacation
- Section 7.4. [Reserved]

Section 7.5. Exemptions

Section 7.6. Protection of Cultural Properties, Archeological Sites, Unmarked Burial

ARTICLE 8. REQUIRED IMPROVEMENTS

Section 8.1. Construction of Required Improvements

Section 8.2. Road Development

Section 8.3. Improvements Guarantees

ARTICLE 9. ADMINISTRATIVE FEES

ARTICLE 10. APPEALS

Section 10.1. Decisions of the Administrator

Section 10.2. Decisions of the Board

Section 10.3. Standard of Review

Section 10.4. Notice of Appeal

Section 10.5. Notice of Appeal of Decisions of the Board

ARTICLE 11. ENFORCEMENT, PENALTIES AND REMEDIES

Section 11.1. Purpose and Authority

Section 11.2. Investigation of Alleged Violations

Section 11.3. Penalties and Remedies

ARTICLE 12. AMENDMENT

ARTICLE 13. SEVERABILITY

ARTICLE 14. REPEAL AND EFFECTIVE DATE.

UNION COUNTY SUBDIVISION REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

Section 1.1. Title. This document shall be known and may be cited as the "Union County Subdivision Regulations" and may be referred to elsewhere herein as "these Regulations."

Section 1.2. Authority. These Regulations are created pursuant to the enabling authority set forth in the New Mexico Subdivision Act, NMSA 1978, §§ 47-6-1 *et seq.* and NMSA 1978 §§ 3-20-5, 3-20-6, and 3-20-9.

Section 1.3. Purpose. These Regulations are adopted for the following purposes:

A. To provide for and protect the public health, safety, property and the general welfare of the citizens of the County;

B. To guide the future growth and development of the County in accordance with the comprehensive plan adopted by the County;

C. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the County, avoiding congestion in the streets and highways and pedestrian movement appropriate to the various uses of land and buildings;

D. To provide for the proper location and width of roads;

E. To establish reasonable standards for subdivisions in order to further the orderly layout and use of land and ensure proper legal descriptions and correct monuments of subdivided land; and

F. to prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table, and to encourage the wise use and management of natural resources throughout the County in order to preserve the integrity, stability, and beauty of the community and the value of the land.

Section 1.4. Jurisdiction. These Regulations shall govern all subdivision of land not within the boundaries of municipalities within the County. The County and a municipality within the County shall exercise concurrent jurisdiction over the territory within the platting jurisdiction of both the County and the municipality, as provided in NMSA 1978, §§ 3-20-5 and 3.20.9.

Section 1.5. Written Decisions. Whenever the Board or its delegate is required by these Regulations to make a decision, the decision shall be in writing and supported by findings of fact and conclusions of law sufficient for meaningful review.

Section 1.6. Interpretation. These regulations contain minimum requirements for subdivision of land. Whenever any provisions of these Regulations conflict with other laws, rules, regulations, covenants, or ordinances, the more restrictive shall govern. These Regulations shall be construed broadly to promote the purposes for which they were adopted.

ARTICLE 2. DEFINITIONS

A. Common promotional plan: Any plan or scheme of operation, undertaken by a single subdivider or a group of subdividers acting in concert, to offer for sale or lease parcels of land where such land is either contiguous to or part of the same area of land or is known, designated or advertised as a common unit or by a common name.

B. Board of County Commissioners, Board: The Board of County Commissioners of Union County, New Mexico.

C. Administrator. The person designated by the Board to take certain actions on applications pursuant to these regulations.

D. Contiguous: Where adjacent parcels share a boundary line or where adjacent parcels are separated only by a road, right-of-way, or easement.

E. Disclosure Statement: A statement required to be given to persons acquiring an interest in subdivided land which complies with the requirement of NMSA 1978 §§ 47-6-17 and has been approved by the Board.

F. Final Plat: A map, chart, survey, plan or replat, certified by a licensed registered land surveyor, which contains a description of the subdivided land with ties to permanent monuments, prepared in a form suitable for filing of record.

G. Immediate Family Member: A member of a family separated by the third degree of consanguinity, including a husband, wife, father, stepfather, mother, stepmother, brother, stepbrother, sister, stepsister, son, stepson, daughter, stepdaughter, grandson, stepgrandson, stepgrandson, granddaughter, stepgranddaughter, nephew and niece, whether related by natural birth or adoption.

H. Lease: To lease or offer to lease land.

I. Parcel: A unit of land capable of being described by location and boundaries and not dedicated for public or common use.

J. Person: An individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity.

K. Preliminary Plat. A map of a proposed subdivision showing the character and proposed layout of the subdivision and the existing conditions in and around it; the preliminary plat need not be based upon an accurate and detailed survey of the land.

L. Regulations or Subdivision Regulations. These regulations and any supporting, applicable Union County resolutions containing subdivision development standards incorporated herein.

M. Resubdivision. Any change to a lot line, right-of-way line, or utility easement,

unless the change is the result of the vacation of a plat or the grant of a variance.

N. Sell. To sell or offer to sell land.

O. Subdivide. To divide a surface area of land into a subdivision.

P. Subdivider. Any person who creates or who has created a subdivision, individually or as part of a common promotional plan, or any person engaged in the sale, lease, or other conveyance of subdivided land; however, "subdivider" does not include any duly licensed real estate broker or salesperson acting on another's account.

Q. Subdivision: The division of a surface area of land, including land within a previously approved subdivision, into two or more parcels for the purpose of sale, lease, or other conveyance or for building development, whether immediate or future; however, "subdivision" does not include:

a. the sale, lease, or other conveyance of any parcel that is thirty-five (35) acres or larger in size within any twelve (12) month period, provided that the land has been used primarily and continuously for agricultural purposes, in accordance with NMSA 1978, § 7-36-20, for the preceding three (3) years;

b. the sale or lease of apartments, offices, stores or similar space within a building;

c. the division of land within the boundaries of a municipality;

d. the division of land in which only gas, oil, mineral or water rights are severed from the surface ownership of the land;

e. the division of land created by court order where the order creates no more than one parcel per party;

f. division of land for grazing or farming activities, provided the land continues to be used for grazing or farming activities;

g. division of land resulting only in the alteration of parcel boundaries where parcels are altered for the purpose of increasing or reducing the size of contiguous parcels and where the number of parcels is not increased, e.g. a lot line adjustment;

h. the division of land to create burial plots in a cemetery;

i. the division of land to create a parcel that is sold or donated as a gift to an immediate family member; however, this exception shall be limited to allow the seller or donor to sell or give no more than one parcel per tract of land per immediate family member;

j. the division of land created to provide security for mortgages, liens, or deeds of

trust, provided that the division of land is not the result of a seller-financed transaction;

 k. the sale, lease, or other conveyance of land that creates no parcel smaller than one hundred forty (140) acres;

 l. the division of land to create a parcel that is donated to any trust or nonprofit corporation granted an exemption from federal income tax, as described in §501(c)(3) of the United States Internal Revenue Code of 1986, as amended; a school, college, or other institution with a defined curriculum and a student body and faculty that conducts classes on a regular basis; or to any church or group organized for the purpose of divine worship, religious teaching or other specifically religious activity; or

 m. the division of a tract of land into two parcels that conform with applicable zoning ordinances; provided that a second or subsequent division of either of the two parcels within five (5) years of the date of division of the original tract of land shall be subject to the provisions of the New Mexico Subdivision Act and these regulations; provided further that a survey and a deed if a parcel is subsequently conveyed, shall be filed with the County Clerk indicating that the parcel shall be subject to the provisions of the New Mexico Subdivision Act if the parcel is further divided within five years of the date of the division of the original tract of land;

 R. Terrain management. Control of floods, drainage and erosion and measures required for adapting proposed development to existing soil characteristics and topography;

 S. Time of purchase, lease or other conveyance. Means the time of signing any document obligating the person signing the document to purchase, lease or otherwise acquire a legal interest in land;

 T. Type One subdivision. Any subdivision containing five hundred (500) or more parcels, any one of which is less than ten (10) acres in size.

 U. Type Two subdivision. Any subdivision containing not fewer than twenty-five (25) but not more than four hundred ninety-nine parcels, any one of which is less than ten (10) acres in size.

 V. Type Three subdivision. Any subdivision containing not more than twenty-four (24) parcels any one of which is less than ten (10) acres in size.

 W. Type Four subdivision. Any subdivision containing twenty-five (25) or more parcels, each of which is ten (10) acres or more in size.

 X. Type Five subdivision. Any subdivision containing not more than twenty-four (24) parcels, each of which is ten (10) acres or more in size.

 Y. Vacation: The act of rescinding (canceling) all or part of a recorded subdivision plat pursuant to NMSA 1978, Section 47-6-7.

ARTICLE 3. PRE-APPLICATION PROCESS

Section 3.1. Pre-application Process.

3.1.1. Optional Pre-application Conference. For the purpose of expediting applications and reducing subdivision design and development costs, a subdivider may request an informal pre-application conference with the Administrator. The pre-application conference is intended to provide general advice to the subdivider about the procedures and data requirements for subdivision review by the County.

3.1.2. Mandatory Pre-application conference. All proposed subdivisions which qualify for approval under the summary procedure provided in Article Six of these Regulations shall begin with a mandatory pre-application conference.

3.1.3. [reserved]

3.1.4. Fee. No fee shall be required for a pre-application conference.

3.1.5. Statements non-binding. Neither the subdivider nor the County shall be bound by any statements or representations made during the pre-application conference.

3.1.6. Application/forms. The Administrator shall provide information and application forms for preliminary plat submittal so that the applicant can efficiently proceed with the County subdivision process and to fulfill the requirements of the New Mexico Subdivision Act.

Section 3.2. Pre-Application Data Requirements

3.2.1. An applicant for a preliminary plat shall prepare the following materials to accompany the application.

3.2.2. Sketch Plan, Location Map. A sketch plan shall be prepared and submitted by the subdivider which shows the proposed layout of streets and lots in the proposed subdivision, with estimated dimensions and other relevant site information. The location of the proposed subdivision must be adequately described on a general map of the area.

3.2.3. Additional information. In addition to the sketch plan and location map, the subdivider shall provide the following information:

- a. The name and mailing address of the subdivider and designated agent, if any;
- b. The name of owner or owners of land to be subdivided;
- c. a written description of the proposed subdivision;
- d. a description of surrounding land uses; and

- e. a description of the accessibility of the site to roads and utilities.

ARTICLE 4. PRELIMINARY PLAT

Section 4.1. Preliminary Plat Submittal.

4.1.1. **Preliminary Plat Required.** A preliminary plat shall be submitted to seek approval of a Type One, Type Two, Type Three subdivisions containing five (5) or fewer parcels of land, and Type Four subdivisions. Type Three containing five (5) or fewer parcels of land and all Type Five subdivisions are subject to review under the summary procedure set forth in Article Six of these Regulations and are not required to submit a preliminary plat.

4.1.2. **Union County Subdivision Standards.** The application for preliminary plat approval shall comply with the substantive standards previously adopted in Resolution No. 85-22 (May 16, 1997), and all exhibits, appendices and attachments to that Resolution. A copy of Resolution No. 85-22 is attached hereto.

4.1.3. **Application/fees.** A subdivider shall prepare a preliminary plat and supporting documentation in accordance with the requirements provided in these Regulations and Resolution No. 85-22. Preliminary plat submittal is initiated by submitting a complete application on a prescribed form available from the Administrator and upon payment of the required administrative fee.

4.1.4. **Plat deemed complete.** Upon receipt of a complete application, the administrative fees, the preliminary plat and supporting documentation, the Administrator shall review all materials in order to determine if the preliminary plat is ready to begin the review process. If there are no deficiencies, the preliminary plat shall be deemed complete for review by written notice to the subdivider within forty-five (45) days after the date of application. If the preliminary plat is incomplete or does not comply with the submittal requirements provided in these Regulations, the subdivider shall be notified; the subdivider shall revise the application no later than ninety (90) days from the date the application was submitted. If the subdivider fails to submit a revised application within ninety (90) days, the application will be considered abandoned. Any subsequent application to create the subdivision will require a new application and payment of administrative fees.

Section 4.2. Review Agencies.

4.2.1. **Plat transmittals.** Within ten (10) days after the date that the preliminary plat is deemed complete, the Administrator shall forward a copy of the preliminary plat and supporting documentation to the following state and local agencies ("the review agencies") by certified mail "return receipt requested" with a request for review and opinions as to compliance of the Preliminary Plat with these Regulations:

a. New Mexico State Engineer's Office; to determine whether the subdivider can furnish water in quantity to fulfil the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses; and whether the subdivider can fulfil the proposals in the subdivider's disclosure statement concerning water, excepting water quality;

b. The New Mexico Environment Department, to determine whether the subdivider can furnish water of an acceptable quality for human consumption and include measures to protect the water supply from contamination in conformity with State regulations promulgated pursuant to the Environmental Improvement Act, and whether there are sufficient liquid and solid waste disposal facilities to fulfil the requirements of the subdivision in conformity with state regulations promulgated pursuant to the Environmental Improvement Act, the Water Quality Act, and the Solid Waste Act; and whether the subdivider can fulfil the proposals contained in the subdivider's disclosure statement concerning water quality and concerning liquid and solid waste disposal facilities;

c. The New Mexico Highway and Transportation Department, to determine whether the subdivider can fulfil the state highway access requirements for the subdivision in conformity with state regulations promulgated pursuant to NMSA 1978, Section 67-3-16;

d. The Soil and Water Conservation District in which the proposed subdivision is located, to determine whether the subdivider can furnish terrain management sufficient to protect against flooding, inadequate drainage and erosion, and whether the subdivider can fulfil the proposals contained in the subdivider's disclosure statement concerning terrain management;

e. Each Indian nation, tribe or pueblo with a historical, cultural or resource tie with the County that submits at least annually, via certified mail, return receipt requested, a written request for notification to the Board, which request indicates the Indian nation, tribe or pueblo's historical, cultural or resource tie with the County, its contact information, and a listing of the types of documentation required to be submitted by a subdivider to the County that may be necessary for its review to determine whether the subdivider can furnish, fulfill or otherwise meet the requirements set forth in NMSA 1978, Section 47-6-11 and these regulations; and how the subdivider's proposed plat may directly affect cultural properties, archaeological sites and unmarked burials;

f. The appropriate school district board and superintendent;

g. The appropriate district fire chief;

h. Union County Water, Agricultural and Wildlife Boards;

i. A local government agency or municipality that may be affected by the proposed subdivision, as determined by the Administrator; and

j. Any other public agencies the County considers necessary to determine whether there are adequate facilities to accommodate the proposed subdivision.

4.2.2. Review Agency Response.

A. The review agencies shall have thirty (30) days from receipt of the preliminary plat to review and return an opinion concerning the preliminary plat. The Administrator shall obtain

receipts or other proof showing the date the opinion request was received by each review agency. Any adverse agency response of a review agency should detail all deficiencies.

B. If in the opinion of each review agency or an Indian nation tribe or pueblo, a subdivider can fulfil the requirements set out herein, the Board shall weigh these opinions in determining whether to approve the preliminary plat. If the opinions received from all agencies are favorable, the County shall schedule a public hearing for consideration and possible action on the preliminary plat within thirty (30) days following the receipt of the last favorable opinion received. If the County does not receive a requested opinion within thirty (30) days, it shall proceed with the required public hearing.

C. If, in the opinion of the appropriate review agency or an Indian nation, tribe or pueblo, a subdivider cannot fulfill the requirements of these regulations or, if the appropriate review agency or the Indian nation, tribe or pueblo does not have sufficient information upon which to base an opinion, the subdivider shall be notified of this fact by the Administrator, and the procedure set out below shall be followed:

1. If the appropriate review agency or the Indian nation, tribe or pueblo has rendered an adverse opinion, the Board shall give the subdivider a copy of the opinion;
2. the subdivider shall be given thirty days from the date of notification to submit additional information to the review agency or the Indian nation, tribe or pueblo; and
3. the review agency or the Indian nation, tribe or pueblo shall have thirty (30) days from the date the subdivider submits timely additional information to change its opinion or issue a favorable opinion when it has withheld one because of insufficient information. No more than thirty (30) days following the date of the expiration of the thirty-day period, during which the review agency or the Indian nation, tribe or pueblo reviews any additional information submitted by the subdivider, the Board shall hold a public hearing in accordance with NMSA 1978 Section 47-6-14 to determine whether to approve the preliminary plat. Where a review agency has rendered an adverse opinion, the subdivider has the burden of showing that the adverse opinion is incorrect either as to factual or legal matters. Where the Indian nation, tribe or pueblo has rendered an adverse opinion, the subdivider may submit additional information to the Board. If a review agency disagrees with an adverse opinion rendered that review agency may submit a response to the Board.

Section 4.3. Public Hearings.

4.3.1. **Scheduling.** The County shall conduct a public hearing on the application for approval of the preliminary plat. Notice of the public hearing shall be given at least twenty-one (21) days before the hearing date.

4.3.2. **Notice.** The notice of hearing shall be published in a newspaper of general circulation within Union County, and shall contain the following information:

- a. The subject of the hearing;

- b. The time and place of the hearing;
- c. The manner for interested persons to present their views;
- d. Where interested persons may obtain a copy of the plat, the application and any favorable or adverse opinions.

4.3.3. **Notification.** Copies of the notice of public hearing shall be transmitted to the following:

- a. the subdivider;
- b. the review agencies;
- c. any interested person who requested to be notified of the public hearing so long as the interested person provided a stamped, self-addressed envelope or email address for such purpose; and
- d. Owners of contiguous property to the proposed subdivision.

4.3.4. **Participation/record.** At the public hearing, the County shall allow all interested persons a reasonable opportunity to submit data, views, or arguments, orally or in writing, and to examine witnesses testifying at the hearing. A record of the public hearing shall be kept. The opinions of the public agencies shall be made a part of the record.

4.3.5. **Action.** Pursuant to NMSA 1978 Section 47-6-14, within thirty (30) days of receipt of favorable opinions from the review agencies, or within thirty (30) days from the date all review agencies complete their review of any additional information submitted by the subdivider, the Board shall, at a public hearing, approve, approve with conditions, or disapprove the preliminary plat. If the Board does not receive a requested opinion within the thirty (30) day period, the Board shall proceed with the public hearing. The Administrator shall inform the subdivider in writing of the decision of the Board.

Section 4.4. Expiration of Preliminary Plat

4.4.1. **Expiration.** An approved or conditionally approved preliminary plat shall expire twenty-four (24) months after its approval or conditional approval. Upon request by the subdivider, an additional period of no more than twelve (12) months may be added to the expiration date by the Board. NMSA 1978, Section 47-6-11.1.

4.4.2. **Phased development.** If the preliminary plat is approved for phased development, the subdivider may file final plats for portions of the development, and the expiration date of the preliminary plat shall be extended for an additional thirty-six (36) months after the date of the filing of each final plat. The number of phased final plats shall be determined by the Board at the time of the approval or conditional approval of the preliminary plat.

4.4.3. Extension. Before the expiration date of the approved or conditionally approved preliminary plat, the subdivider may submit to the Board an application for extension of the preliminary plat for a period of time not exceeding thirty-six (36) months.

4.4.4. Expiration effect. The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first gaining approval of a new preliminary plat.

Section 4.5. Preliminary Plat Data Requirements

4.5.1. Purpose. At a minimum, the supporting documentation required for the preliminary plat review shall provide sufficient information for the County and the review agencies to determine that:

- a. water is sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses;
- b. water is of an acceptable quality for human consumption and measures are taken to protect the water supply from contamination;
- c. there is a means of liquid waste disposal for the subdivision;
- d. there is a means of solid waste disposal for the subdivision;
- e. there are satisfactory utility easements and adequate roads to each parcel, including entry and exit for emergency vehicles, and there are appropriate utility easements to each parcel;
- f. terrain management protects against flooding, inadequate drainage and erosion;
- g. there are protections for cultural properties, archaeological sites and unmarked burials that may be directly affected by the subdivision, as required by the Cultural Properties Act;
- h. the subdivider can fulfill the proposals contained in the disclosure statement for the subdivision; and
- i. the subdivision will conform with the New Mexico Subdivision Act and these Regulations. The supporting documentation shall address all of the matters set forth in Resolution No. 85-22 (attached hereto and incorporated by reference with all sections, subparts and exhibits).

4.5.2. Supporting Documentation. The subdivider shall provide supporting documentation to its application for preliminary plat approval including, but not limited to, the following:

- a. A water supply plan that includes conservation, water quality, and fire protection components;
- b. A liquid waste disposal plan;
- c. A solid waste disposal plan;
- d. Demonstrated accessibility of the site to roads and utilities;
- e. A terrain management plan; and
- f. Protection of cultural properties.

4.5.3. Filing specifications. The subdivider shall submit ten (10) copies of the preliminary plat and supporting documentation for review and distribution to the review agencies. Preliminary plat maps shall be prepared at a scale of two hundred (200) feet to one (1) inch or larger and printed on sheets no larger than 18" x 24" (eighteen inches by twenty-four inches). Sheets shall be numbered in sequence if more than one sheet is used.

4.5.4. Map specifications. The preliminary plat map shall show the following.

- a. title, scale, north arrow, and date;
- b. existing topography and any regrading plans, indicating contour intervals sufficient for planning purposes;
- c. existing and proposed boundary lines, in bearings and distances, for the subdivision;
- d. proposed lot lines, with lot and block numbers, and approximate acreage of each lot;
- e. the location, dimensions, and purpose of existing and proposed easements;
- f. names and right-of-way widths of existing and proposed streets on and adjacent to the subdivision;
- g. existing and proposed utilities on and adjacent to the site;
- h. locations, dimensions, and purpose of any land to be dedicated to the public use including any improvements to be made to that land;
- i. location of subdivision in relation to well-known landmarks;
- j. location of archaeological, historical, or culturally significant features on the site;

k. delineation, if applicable, of any 100-year flood plan as designated by the Federal Emergency Management Agency;

l. names and addresses of the owner or owners of land to be subdivided, the subdivider if other than the owner, and the land surveyor; and

m. a legal description indicating the range, township, and section within which the subdivision is located.

4.5.5. Phased subdivisions. Subdivisions which are proposed to be phased and filed in multiple final plats shall include an anticipated phasing schedule for the final plats and a schedule of completion of improvements.

4.5.6. Disclosure statement. The preliminary plat shall be accompanied by a draft disclosure statement in accordance with NMSA 1978, Section 47-6-17(B), and in accordance with the standardized format adopted by the Board. A disclosure statement is required for all subdivisions, including summary review subdivisions. The purpose of the disclosure statement is to permit the prospective purchaser, lessee, or other person acquiring an interest in subdivided land to make an informed decision about the purchase, lease, or other conveyance of the land.

ARTICLE 5. FINAL PLAT REVIEW PROCESS

Section 5.1 Final Plat Submittal

5.1.1. Conformity. Following approval or conditional approval of a preliminary plat, and before the expiration of the plat, the subdivider shall prepare a final plat in substantial conformity with the approved or conditionally approved preliminary plat. Subdivisions proposed to be phased in multiple final plats shall be submitted as indicated on the phasing schedule submitted with the preliminary plat.

5.1.2. Application/fees. The subdivider shall prepare a final plat and supporting documentation in accordance with the requirements provided in these Regulations. Final plat submittal is initiated by completing an application on the prescribed form (available from the Administrator) and upon payment of the required administrative fees.

5.1.3. Plat deemed complete. A subdivider shall prepare a final plat and supporting documentation in accordance with the requirements provided in these Regulations. Final plat submittal is initiated by completing an application on the prescribed form available from the Administrator, who shall review all materials in order to determine whether the final plat is complete. If there are no deficiencies the final plat will be deemed complete for review by written notice to the subdivider within thirty (30) days after the date of application. If the final plat is incomplete or does not comply with the submittal requirements provided herein, the applicant shall revise the application no later than ninety (90) days from the date the application was submitted. If the applicant fails to submit a revised application within ninety (90) days, the application will be considered abandoned. Any subsequent application to create the subdivision will require a new application and payment of administrative fees.

Section 5.2. Decision on Final Plat

5.2.1. **Action.** Final plats submitted for approval and deemed complete by the Administrator shall be approved, conditionally approved, or disapproved by the Board at a public meeting within thirty (30) days after the date the final plat is deemed complete. NMSA 1978 Section 47-6-11.3.

5.2.2. **Denial.** The Board shall not deny a final plat if it has previously approved a preliminary plat for the proposed subdivision and if it finds that the final plat is in substantial compliance with the previously approved preliminary plat. Denial of a final plat shall be accompanied by findings of fact and conclusions of law identifying the requirements of the Subdivision Act or these regulations that have not been met.

5.2.3. **Improvement agreement.** If, at the time of approval of the final plat, public improvements have not been completed by the subdivider, the Board shall, as a condition preceding approval of the final plat, require the subdivider to enter into an agreement with the County, on mutually agreeable terms, to thereafter complete the improvements at the subdivider's expense.

5.2.4. **Failure to act.** If the Board does not act upon a final plat within a reasonable time, the subdivider shall give the Board written notice of its failure to act. If the Board fails to approve, approve with conditions, or disapprove the final plat within thirty (30) days after the final plat is deemed complete, the Board shall, upon demand by the subdivider, either take appropriate action on the application, or, at its election, issue a certificate that the final plat has been approved.

Section 5.3. Final Plat Data Requirements

5.3.1. **Filing Specifications.** Any person filing a final plat shall have the final plat certified by a surveyor registered in the State of New Mexico pursuant to NMSA 1978 Section 47-6-3(A). The original drawing of the final plat shall be submitted in waterproof ink on mylar or acetate or other durable material suitable for reproducing copies. Final plat maps shall be drawn at a scale of two hundred (200) feet to one inch or larger and printed on sheets no larger than eighteen inches by twenty-four inches. When more than one sheet is used to depict the entire subdivision, all sheets shall be cut to the same size and shall show appropriate references to other sheets of the subdivision. The subdivider shall also submit five (5) paper copies of the final plat map and accompanying information.

5.3.2. **Map specifications.** The final plat map shall be recordable and shall include the following information:

a. the name of subdivision, scale, north arrow, and date;

b. permanent monuments, or descriptions and ties to such monuments, to which all dimensions, angles, bearings, and similar data on the plat shall be referred;

- c. tract boundary lines, easement and right-of-way lines, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves;
- d. accurate description of legal access to, roads to, and utility easements for each parcel and if the access or easement is based upon an agreement, the recording data in the land records for the agreement;
- e. name, right-of-way width, and centerline data of each road or other right-of-way;
- f. location, dimensions, and purpose of all easements and dedicated public areas;
- g. number each parcel in progression, with its dimensions, and the dimensions of all land dedicated for public use or for the use of the owners of parcels fronting on or contiguous to the land;
- h. names of owners of contiguous unplatte land;
- i. delineation of any 100-year flood plain designated by the Federal Emergency Management Agency;
- j. The names of the owner or owners of the subdivision, and the developer if other than the owner;
- k. the certification of a surveyor registered in New Mexico attesting to the accuracy of the plat, and the date of the survey; and
- l. legal description indicating the range, township, and section within which the subdivision is located.

5.3.3. **Affidavit.** Pursuant to NMSA 1978 Section 47-6-4, the final plat shall contain a statement that the land being subdivided is subdivided in accordance with the final plat. The final plat shall be acknowledged in the manner required for the acknowledgment of deeds by the owner and subdivider or their authorized agents. Every final plat submitted to the County Clerk shall be accompanied by an affidavit of the owner and subdivider, or authorized agents, stating whether or not the proposed subdivision lies within the subdivision regulation jurisdiction of the County. A copy of the final plat shall be provided to every purchaser, lessee, or other person acquiring an interest in the subdivided land before sale, lease or other conveyance.

5.3.4. **Dedication.** Pursuant to NMSA 1978, Section 47-6-5, the final plat shall contain a certificate stating that the Board has accepted, accepted subject to improvement, or rejected on behalf of the public, any land offered for dedication for public use in conformity with the terms of the offer of dedication. On full conformity with County road construction standards, roads may be accepted for maintenance by the County. Acceptance of offers of dedication on a final plat shall not be effective until the final plat is filed in the Office of the County Clerk or a

resolution of acceptance by the Board is filed in that office.

5.3.5. Disclosure statement. The final plat shall be accompanied by a draft disclosure statement in accordance with NMSA 1978, Section 47-6-17(B), and in accordance with the standardized format adopted by the Board by resolution. A disclosure statement is required for all subdivisions. The purpose of the disclosure statement is to permit the prospective purchaser, lessee, or other person acquiring an interest in subdivided land to make an informed decision about the purchase, lease, or other conveyance of the land. It is unlawful to sell, lease, or otherwise convey land within a subdivision until the required disclosure statement has been filed with the County Clerk, approved by the Board and the Attorney General's Office, and until the prospective purchaser, lessee or other person acquiring an interest in the subdivided land has been given a copy of the disclosure statement.

5.3.6. Conformity. The Board shall not approve the plat of any subdivision if the subdivider cannot reasonably demonstrate that he can fulfill the proposals contained in his disclosure statement or if the subdivider has not conformed with the New Mexico Subdivision Act and the requirements herein.

5.3.7. Land Sales Act. Any subdivider who has satisfied the disclosure requirement of the Interstate Land Sales Full Disclosure Act may submit the approved statement of record in lieu of the disclosure statement required by the New Mexico Subdivision Act.

5.3.8. Environment Department approval. For any subdivision requiring construction of a public water supply system or a community liquid waste system, documentation of approval from the New Mexico Environment Department shall be required for final plat approval.

5.3.9. Recording. The final plat shall be recorded in the Office of the County Clerk and shall be in full force and effect only if recorded within one (1) year after the date of approval.

5.3.10. Water permit. Before approving the final plat for a subdivision containing ten or more parcels, any one of which is two acres or less in size, the Board shall require that the subdivider provide proof of a service commitment from a water provider and an opinion from the state engineer that the subdivider can fulfill the requirements of Paragraph (1) of Subsection F of Section 47-6-11 NMSA 1978 or provide a copy of a permit obtained from the state engineer, issued pursuant to Section 72-5-1, 72-5-23, 72-5-24, 72-12-3 or 72-12-7 NMSA 1978 for the subdivision water use. In acting on the permit application, the state engineer shall determine whether the amount of water permitted is sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. The Board shall not approve the final plat unless the state engineer has so issued a permit for the subdivision water use or the subdivider has provided proof of a service commitment from a water provider and the state engineer has provided an opinion that the subdivider can fulfill the requirements of Paragraph (1) of Subsection F of Section 47-6-11 NMSA 1978. The Board shall not approve the final plat based on the use of water from any permit issued pursuant to Section 72-12-1.1 NMSA 1978.

Section 5.4 Advertising Standards

5.4.1. Advertising of lots in a subdivision shall comply with NMSA 1978, Section 47-6-18.

5.4.2. Filing requirements. Copies of all brochures, publications, and advertising relating to subdivided land shall be filed with the Board and the Attorney General within fifteen (15) days after initial use by the subdivider.

5.4.3. Requirements/restrictions. Brochures, disclosure statements, publications, and advertising of any form relating to subdivided land shall:

- a. not misrepresent or contain false or misleading statements of fact;
- b. not describe deeds, title insurance, or other items included in a transaction as "free" and shall not state that any parcel is "free" or given as an "award" or "prize" if any consideration is required for any reason;
- c. not describe parcels available for "closing costs only" or similar terms unless all such costs are accurately and completely itemized; or when additional parcels must be purchased at a higher price;
- d. not include an asterisk or other reference symbol as a means of contradicting or substantially changing any statement;
- e. accurately portray, if subdivision illustrations are used, the subdivision in its present state; and, if illustrations are used portraying points of interest outside the subdivision, state the actual road miles from the subdivision;
- f. not contain artists' conceptions of the subdivision or any facilities within it unless clearly labeled as such, and shall not contain maps unless accurately drawn to scale with the scale indicated;
- g. not contain references to any facilities, points of interest or municipalities located outside of the subdivision unless the distances from the subdivision are stated in the advertisement in actual road miles; or
- h. refer to the location where the subdivider's disclosure statement may be obtained.

Section 5.5. Requirements Prior to Sale, Lease or other conveyance. It is unlawful to sell, lease or otherwise convey land within a subdivision before the following conditions have been met:

5.5.1. Final plat approval. The final plat shall be approved by the Board and shall be filed with the County Clerk. If a subdivision lies within more than one county, the final plat shall be approved by the board of each county in which the subdivision is located and shall be filed with the county clerk of each county in which the subdivision is located. NMSA 1978, Section 47-6-11.3.

5.5.2. Relevant documents. The subdivider shall furnish the Board with a sample copy of sales contracts, leases and any other documents which will be used to convey an interest in the subdivided land.

5.5.3. Permanent marks. All corners of all parcels and blocks within a subdivision shall be permanently marked with metal stakes in the ground and a reference stake shall be placed beside one corner of each parcel.

5.5.4. Water Rights. Before approving the final plat for a subdivision of land from which irrigation water rights appurtenant to the land have been severed, the Board shall require that the subdivider provide proof of a service commitment from a water provider and an opinion from the state engineer that the subdivider can fulfill the requirements of Paragraph (1) of NMSA 1978, Subsection F of Section 47-6-11 or acquire sufficient water rights through a permit issued pursuant to Section 72-5-1, 72-5-23, 72-5-24, 72-12-3 or 72-12-7 NMSA 1978 for subdivision water use. In acting on the permit application, the state engineer shall determine whether the amount of water permitted is sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. The Board shall not approve the final plat unless the state engineer has issued a permit for the subdivision water use or the subdivider has provided proof of a service commitment from a water provider and the State Engineer has provided an opinion that the subdivider can fulfill the requirements of Paragraph (1) of NMSA 1978, Subsection F of Section 47-6-11. The Board shall not approve the final plat based on the use of water from any permit issued pursuant to NMSA 1978, Section 72-12-1.1.

Section 5.6. Recording.

5.6.1. Authority. NMSA 1978 § 47-6-9(A)(17) requires counties to enact regulations for recording all conveyances of parcels with the County Clerk. As defined in the Act, the term "parcel" means land capable of being described by location and boundaries and not dedicated for public or common use.

5.6.2. Purpose. Recording provides persons interested in acquiring land, and lenders, with important information about the condition of the title. Recording conveyances of all parcels also provides public officials with information needed to detect illegal subdividing and to assess property taxes. The purpose of this information is to protect buyers and lenders and to help enforce the Act and these Regulations by making all conveyances of parcels matters of public record.

5.6.3. Requirement. Any person who sells, leases for an initial term plus option terms in excess of five (5) years, or otherwise conveys any interest in any subdivided parcel located in whole or in part in the County shall record the deed, lease, real estate contract, notice of lease, notice of real estate contract, or other document of conveyance with the County Clerk no later than five (5) days after the closing or thirty (30) days after the date on which the document is signed, whichever comes first.

5.6.4. Form and certification. Any deed, lease for an initial term plus option terms in excess of five (5) years, real estate contract, notice of lease, notice of real estate contract, or other document used to convey any interest in any parcel located in whole or in part in the County shall

be in a form acceptable for and duly acknowledged and certified as required by the provisions of NMSA 1978, Section 14-8-4.

5.6.5. Plat attachment. The deed, lease, real estate contract, notice of lease, notice of real estate contract, or other document of conveyance may have a survey plat and a legal description of the parcel attached to it. The survey plat shall show the surveyor's seal, the boundaries of the parcel, the means of access to the parcel, and any easements to which the parcel is subject.

Section 5.7. Water Requirements.

5.7.1. Water Supply Plan. An approved subdivision shall have a water supply plan pursuant to these regulations.

ARTICLE 6. SUMMARY REVIEW

Section 6.1. Eligibility. The following types of subdivisions shall be submitted to the County for summary review and approval:

- a. Type Three subdivisions containing five (5) or fewer parcels of land; and
- b. all Type Five Subdivisions.

Section 6.1.2. Pre-application conference. A pre-application conference is required before application is made for summary review. The pre-application process is described in Article Three of these regulations.

Section 6.1.3. Application, Fees. The subdivider shall prepare a summary review plat and supporting documentation in accordance with the requirements provided in these Regulations. The summary review plat shall be considered as a final plat suitable for filing with the County Clerk. Summary review plat submittal is initiated by completing an application on the prescribed form obtainable from the Administrator, and upon payment of the required administrative fees.

Section 6.1.4. Complete Application. On receipt of the application, fees, summary review plat, and supporting documentation, the Administrator shall review all materials in order to determine if the plat is ready for review and action. If there are no deficiencies, the summary review plat shall be deemed complete for review by written notice to the subdivider within forty-five (45) days after the date the application is deemed complete. If the summary review plat is incomplete or does not comply with the submittal requirements, the applicant shall revise the application no later than forty-five (45) days from the date the application was submitted. If the applicant fails to submit a revised application within forty-five (45) days, the application will be considered abandoned. Any subsequent application to create the subdivision will require a new application and payment of administrative fees.

6.1.5. Standards. The application for summary plat review shall comply with the substantive standards previously adopted in Resolution No. 85-22 (May 16, 1997), and all exhibits, appendices and attachments to that Resolution.

6.1.6. Public Hearing. A Summary Review plat submitted to the County shall be approved or disapproved by the Administrator within forty-five (45) days of the date the application for summary review was deemed complete.

Section 6.1.7. Improvement Agreement. If, at the time of review of a summary review plat, public improvements have not been completed, the Subdivider shall enter into an improvement agreement prior to recordation, whereby the Subdivider shall undertake to complete the public improvements at his own and sole expense.

Section 6.1.8. Failure to act. If the Administrator does not act upon a summary review plat within the time prescribed herein, the subdivider may give the Administrator written notice of the County's failure to act. If the Administrator fails to approve or reject the summary review plat within thirty (30) days after such notice, the Administrator shall upon demand by the subdivider, issue a certificate that the summary review plat has been approved.

6.1.8. Type Three Subdivisions. If a type-three subdivision contains five or fewer parcels of land, and unless the land within the subdivision has been previously identified in the County's comprehensive plan, as amended or supplemented, or zoning ordinances, as an area subject to unique circumstances or conditions that require additional review:

(1) if the smallest parcel is not less than three acres in size, the Administrator shall use the same summary procedure for reviewing the subdivision as the Administrator uses for reviewing type-five subdivisions; or

(2) if the smallest parcel is less than three acres in size, the Administrator may use the same summary procedure for reviewing the subdivision as the Administrator uses for reviewing type-five subdivisions.

6.1.9. Type Five Subdivisions. Prior to approving the final plat of a type-five subdivision, the Administrator shall:

(1) determine whether the subdivider can fulfill the proposals contained in the subdivider's disclosure statement required by Section 47-6-17 NMSA 1978; and

(2) determine whether the subdivision conforms with the New Mexico Subdivision Act and these Regulations.

6.1.10. Must Fulfil Requirements. The Administrator shall not approve the final plat of any type-five subdivision if the subdivider cannot reasonably demonstrate that the subdivider can fulfill the requirements of these regulations.

Section 6.2. Summary Review Data Requirements.

6.2.1. Filing Specifications. The original drawing of the summary review plat shall be submitted in waterproof ink on mylar or acetate or other durable material suitable for reproducing copies. Summary review plat maps shall be drawn at a scale of two-hundred (200) feet to one (1)

inch or larger and printed on sheets no larger than 18" X 24" (eighteen inches by twenty-four inches). The subdivider shall also submit two paper copies of the summary review plat map and accompanying information.

6.2.2. Map specifications. The summary review plat map shall include the following information:

- a. title, scale, north arrow and date
- b. name and mailing address of subdivider and designated agent, if any;
- c. names of owners of land to be subdivided and contiguous property;
- d. subdivision boundary lines, easement and right-of-way lines, and property lines of all lots, with accurate dimensions, and ties to monuments;
- e. acreage measurements and identification numbers for each lot;
- f. location, dimensions, and purpose of all easements;
- g. delineation of any 100-year flood plain as designated by the Federal Emergency Management Agency, if available;
- h. the certification of a surveyor registered in New Mexico attesting to the accuracy of the plat, and the date of survey; and
- i. legal description indicating the range, township, and section within which the subdivision is located.

6.2.3. Affidavit. The summary review plat shall contain a statement that the land is being developed in accordance with the summary review plat. The summary review plat shall be acknowledged by the owner and subdivider, or authorized agents, in the manner required for the acknowledgement of deeds. Every summary review plat submitted to the County shall be accompanied by an affidavit of the owner and subdivider, or authorized agents, stating whether the proposed subdivision lies within the subdivision jurisdiction of the County. A copy of the summary review plat shall be provided to every purchaser, lessee, or other person acquiring an interest in the subdivided land prior to sale, lease or other conveyance.

6.2.4. Dedication. The summary review plat shall contain a certificate stating that the Administrator has accepted, accepted subject to improvement, or rejected, on behalf of the public, any land offered for dedication for public use in conformity with the terms of the offer of dedication. Upon full conformity with County road construction standards, the roads may be accepted for maintenance by the County. Acceptance of offers of dedication on a summary review plat shall not be effective until the summary review plat is filed in the office of the County Clerk or a resolution of acceptance by the Board is filed in that office.

6.2.5. Disclosure statement. For all subdivisions, a disclosure statement shall be prepared in accordance with the standardized format provided in Appendix F of the Regulations, and shall at a minimum contain all the information required in NMSA 1978 Section 67-7-17(B). It shall be unlawful to sell, lease or otherwise convey land in a subdivision until the required disclosure statement has been filed with County Clerk, and has been approved by the Board and the Attorney General's Office; and until the prospective purchaser, lessee or other person acquiring an interest in the subdivided land has been given a copy of the disclosure statement.

6.2.6. Land Sales Act. Any subdivider who has satisfied the disclosure requirement of the Interstate Land Sales Full Disclosure Act may submit the approved statement of record instead of the disclosure statement required by the New Mexico Subdivision Act and these regulations. However, any information required in the New Mexico Subdivision Act and not covered in the subdivider's statement of record shall be attached to the statement of record.

6.2.7. Advertising standards. The advertising standards covering the sale, lease, or other conveyance of subdivided land and provided in Article Five, Section 4 of these Regulations shall be applicable to summary review plats.

ARTICLE 7. SPECIAL PROCEDURES

Section 7.1 Succeeding Subdivisions.

7.1.1. Standard. Any proposed subdivision may be combined with a previous subdivision and upgraded for classification purposes by the Board if the proposed subdivision includes:

- a. A part of a previous subdivision that has been created in the preceding seven (7) years; or
- b. any land retained by a subdivider after creating a previous subdivision if the subdivision was created in the preceding seven (7) year period.

Section 7.2. Resubdivision

7.2.1. Definition. Resubdivision is any change to a lot line, right-of-way line, or utility easement, unless the change is the result of a vacation of plats or variance granted by action of the Board.

7.2.2. Procedure. All or a portion of any final plat filed in the office of the County Clerk may be resubdivided by the same procedures prescribed in these Regulations.

Section 7.3. Plat Vacation.

7.3.1. Cause. Any final plat filed in the office of the County Clerk may be vacated or a portion of the final plat may be vacated if:

a. the owners of the land proposed to be vacated sign an acknowledged statement declaring the final plat or a portion of the final plat to be vacated, and the statement is approved by the Board.

7.3.2. Request for Vacation. The vacation of all or a portion of a final plat shall be initiated by any person owning property within the subdivision upon submittal of a request for vacation to the County Clerk, along with the names of all owners of record of property within the subdivided land to be vacated and the names of all owners of record of property contiguous to the subdivided land to be vacated. The request for vacation shall be considered filed upon payment of the required administrative fee.

7.3.3. Scheduling and notification. Within ninety (90) days after the date of receipt of the request for vacation, the Board shall approve or deny the vacation, subject to the following:

a. Action shall be taken at a public meeting.

b. At least fifteen (15) days before the proposed meeting, all owners of record of property within the subdivided land to be vacated and all owners of record of property contiguous to the subdivided land to be vacated shall have been notified by mail of the proposed vacation and the date, time and place of the public meeting at which the vacation will be considered by the Board.

c. Relevant utilities and other agencies have been notified.

7.3.4. Action. Pursuant to NMSA 1978 Section 47-6-7(B), in approving the vacation of all or a part of a final plat, the Board shall decide whether the vacation will adversely affect the interest of persons on contiguous land or persons within the subdivision being vacated. In approving the vacation of all or a portion of a final plat, the Board may require that roads dedicated to the County in the final plat continue to be dedicated to the County. The owners of parcels on the vacated portion of the final plat may enclose in equal proportions the adjoining streets and alleys that are authorized to be abandoned.

7.3.5. Filing. Pursuant to NMSA 1978 Section 47-6-7(C) the approved statement declaring the vacation of a portion or all of a final plat shall be filed in the office of the County Clerk. The County Clerk shall mark the final plat with words "Vacated" or "Partially Vacated" and refer on the final plat to the volume and page on which the statement of vacation is recorded.

7.3.6. Utilities. The rights of any utility existing before the total or partial vacation of any final plat are not affected by the vacation of a final plat.

Section 7.4. [Reserved]

Section 7.5. Exemptions

7.5.1. Approval Required. State Law makes it unlawful for any person to divide the surface area of land, including land within a previously approved subdivision, into two or more

parcels for the purpose of sale, lease or other conveyance or for building development, whether immediate or future, unless the land division is approved as a subdivision or exempted under the New Mexico Subdivision Act.

7.5.2. Verification of Exemption. Any person claiming entitlement to an exemption under these regulations may file a written claim of exemption on the form prescribed by the Administrator. The person shall not make the land division before the exemption has been approved pursuant to these regulations. The Administrator shall review the claim of exemption and supporting documents. If the application and supporting documents show the claim of exemption should be approved, the Administrator shall mail written notice of the approval to the applicant within forty-five (45) days after receipt of the complete application for exemption; provided, however, that the forty-five (45) day period shall not begin to run until the person claiming the exemption has delivered a completed Claim of Exemption, deemed complete by the Administrator, and all supporting documents to the Administrator.

7.5.3. Approval of Exemption. If the claim of exemption is approved, or if the Administrator fails to mail written notice to the claimant within forty-five (45) days after the date the application for exemption was deemed complete, the person claiming the exemption may divide the land in the manner proposed in the claim of exemption without complying with the provisions of these Regulations.

7.5.4. Denial of Application. If the claim of exemption is denied, the person claiming the exemption may appeal the denial as provided in Article 10 of these Regulations or may submit an application for a subdivision as provided in these Regulations.

Section 7.6. Protection of Cultural Properties. Archaeological Sites and Unmarked Burials

7.6.1. Unmarked Human Burials. According to State Law, a human burial in an unmarked burial ground is accorded the protection of law and shall receive appropriate and respectful treatment and disposition. All subdivider shall comply with the requirements of NMSA 1978 Section 18-6-11.2, which prohibits the knowing, willful or intentional excavation, removal, disturbance, or destruction of human burial, buried, entombed or sepulchered in any unmarked burial ground except by authority of a permit issued by the state medical investigator or by the state cultural properties review committee with the concurrence of the state archeologist and state historic preservation officer.

7.6.2. Registered Cultural Properties. Any person desiring to subdivide land in the County shall demonstrate that they have reviewed the latest edition of the State Register of Cultural Properties ("the Register") that has been provided to the County by the State Historic Preservation Division, and, if there are no such properties entered in the Register that are within the boundaries of the proposed subdivision, the subdivider shall provide a signed affidavit to that effect in the application package for subdivision approval; or if any such properties entered in the Register exist within the boundaries of the proposed subdivision, the subdivider shall provide a signed affidavit to that effect in the application package for subdivision approval. The County will then consult with the Historic Preservation Division pursuant to the Cultural Properties Act, NMSA 1978, Sections 18-6-1 through 18-6-17.

ARTICLE 8. REQUIRED IMPROVEMENTS

Section 8.1. Construction of Required Improvements

8.1.1. **Required Improvements.** The subdivider shall install and construct such improvements, if any, as are required by these Regulations or required by the Board or Administrator during the approval process, in the manner and to the design standards provided in these Regulations. Approval of the preliminary plat is authorization for the subdivider to proceed with the minimum improvements required by these Regulations. Before the construction of any improvements or the submission of any bond or other improvement guarantee, the subdivider shall furnish the County with all plans necessary for the construction of such improvements. These plans shall be reviewed by the Administrator and, if in accordance with these regulations, shall be approved by the Administrator.

8.1.2. **Improvement Agreement.** The County may enter into a subdivision improvement agreement with a subdivider. This agreement shall constitute a binding contract between the subdivider and County and shall contain terms and conditions agreed to by the subdivider and the Administrator.

Section 8.2. Road Development.

8.2.1. **Schedule.** Roads within a subdivision shall be constructed only on a schedule approved by the Board. In approving or disapproving a subdivider's road construction schedule, the Board shall consider: the proposed use of the subdivision; the period of time before the roads will receive substantial use; the period of time before construction of homes will commence on the portion of the subdivision serviced by the road; the County regulations governing phased development; and the needs of prospective purchasers, lessees and other persons acquiring an interest in subdivided land in viewing the land within the subdivision.

8.2.2. **Safety Standards.** All proposed roads shall conform to minimum county and State safety standards.

8.2.3. **Grading or Construction.** The Board shall not approve the grading or construction of roads unless and until the subdivider can reasonably demonstrate that the roads to be constructed will receive use and that the roads are required to provide access to parcels or improvements within twenty-four (24) months from the date of construction of the road.

8.2.4. **Construction Schedule.** It is unlawful for the subdivider to grade or otherwise commence construction of roads unless the construction conforms to the schedule of road development approved by the Board.

Section 8.3. Improvement Guarantees

8.3.1. **Assurance.** In order for the County to be assured of the completion of required improvements, the subdivider shall agree to either: complete installation of the required

improvements before approval of plat; or furnish a bond that assures completion of the improvements.

8.3.2. Alternatives. If the subdivider wishes to submit the final plat for review, approval and recording before completion of required improvements, the subdivider shall post a suitable improvement bond in an amount approved by the County. The guarantee shall be not less than 125 percent of the estimated cost of the required improvement. This guarantee may be by bond, letter of credit, escrow deposit, or other method acceptable to the County.

ARTICLE 9. ADMINISTRATIVE FEES

A person desiring to subdivide land in the County shall pay following administrative fees at the time of application:

Preliminary plat	\$50
Final plat	\$25
Summary review plat	\$50
Variance	\$25
Appeal	\$25
Claim of exemption	\$5
Statement of vacation	\$25

These fees are consistent with NMSA 1978, Section 47-6-9(A)(1) in that they approximate the cost to the County of determining compliance with the New Mexico Subdivision Act and these regulations.

ARTICLE 10. APPEALS

10.1. General. Decisions of the Administrator. Any person who is adversely affected by the final decision of the Administrator in approving or disapproving a subdivision plat may appeal to the Board within fifteen (15) days of the date of the action of the Administrator. The Board shall hear the appeal and render a decision within thirty (30) days after receiving the notice of appeal.

10.2. Decisions of the Board. Any person who is adversely affected by a final decision of the Board approving or denying a subdivision plat may appeal to the State District Court of the County in which the subdivision is located within thirty (30) days after the approval of findings of fact and conclusions of law by the Board under NMSA 1978, Section 39-3-1.1 and NMRA 2024, Rule 1-075.

10.3. Standard of review. An appeal from a decision of the Administrator or the Board shall consist of a whole record review, and the reviewing authority, whether it be the Board or the District Court, shall set aside the action of the lower tribunal only if it is found to be arbitrary, capricious or an abuse of discretion, not supported by substantial evidence, or otherwise not in accordance with law.

10.4. Notice of appeal. An appeal of a decision of the Administrator shall be initiated by filing a

notice of appeal with the Administrator. The appellant shall file a written notice of appeal which sets forth the specific portion or portions of the decision being appealed from that is asserted to consist of reversible error. A copy of the decision or final order appealed from that be attached. Only when a notice of appeal is timely filed and the Administrative Fee is paid, shall the appeal be perfected.

10.5. Notice of Appeal from Action of the Board. An appeal pursuant to NMSA 1978 Section 39-3-1.1 is governed by the New Mexico Rules of Civil Procedure, Rule 1-075. It requires that the appellant file a written statement of appellate issues citing the specific portion or portions of the decision being appealed. A copy of the decision or order being appealed shall be attached to the notice of appeal. The District Court manages the appeal henceforth.

ARTICLE 11. ENFORCEMENT, PENALTIES, AND REMEDIES

Section 11.1. Purpose and Authority. Violations of these Regulations shall be prosecuted in the manner provided by Law to protect the health, safety, and welfare of the public according to the County's authority under the New Mexico Subdivision Act, NMSA 1978, Sections 47-6-1 *et seq.*

Section 11.2. Investigation of Alleged Violations. All written signed complaints alleging one or more violations of the provisions of the New Mexico Subdivision Act or these regulations shall be referred to the Union County Attorney for investigation. The Union County Attorney shall investigate the complaint and take such action as is warranted or make a recommendation to the Board. The Union County Attorney shall inform the complainant in writing of actions taken (or will be taken) in response to the complaint.

Section 11.3. Penalties and Remedies. Violations of the provisions of these regulations shall be subject to the following penalties, remedies and enforcement procedures:

11.3.1. Utility Connections. Any water, sewer, electric, or gas utility that connects service to individual parcels within a subdivision before a final plat for the subdivision has been approved by the Board or before the landowner holds a valid building permit, may be fined a civil penalty of up to five hundred dollars (\$500) by the Board. The Board may also require that any utility connected in violation of this section and of NMSA 1978, § 47-6-27.2 be disconnected.

11.3.2. Suspension of Right of Sale. The Board may suspend or revoke approval of a plat as to unsold, unleased or otherwise not conveyed portions of a subdivider's plat if the subdivider does not meet the schedule of compliance approved by the Board.

11.3.3. Injunctive Relief. Mandamus. The Board, the District Attorney, or the Attorney General may apply to the District Court for any one or more of the following remedies in connection with violations of the New Mexico Subdivision Act and these Regulations:

- i. injunctive relief to prohibit a subdivider from selling, leasing, or otherwise conveying any interest in unlawfully subdivided land until the subdivider complies with the terms of the New Mexico Subdivision Act and these Regulations;

- ii. injunctive relief to compel compliance by any person with the provisions of the New Mexico Subdivision Act and these Regulations;
- iii. rescission and restitution for persons who have purchased, leased, or otherwise acquired an interest in subdivided land that was divided, sold, leased or otherwise conveyed in material violation of the New Mexico Subdivision Act or these Regulations; or
- iii. a civil penalty of up to five thousand dollars (\$5,000) for each parcel created in knowing, intentional or willful violation of the New Mexico Subdivision Act or these Regulations.

11.3.4. Bond not required. The Board, the District Attorney and the Attorney General shall not be required to post bond when seeking a temporary or permanent injunction or mandamus according to the provisions of the New Mexico Subdivision Act.

11.3.5. NMSA 1978 § 47-6-27 provides that:

any person who knowingly, intentionally, or willfully commits a material violation of the New Mexico Subdivision Act is guilty of a misdemeanor, punishable by a fine of not more than ten thousand dollars (\$10,000) per violation, or by imprisonment for not more than one year, or both; and

any person who is convicted of a second or subsequent knowing, intentional, or willful violation of the New Mexico Subdivision Act is guilty of a fourth degree felony, punishable by a fine of not more than twenty-five thousand dollars (\$25,000) per violation or by imprisonment for not more than eighteen (18) months, or both.

Any violation of the provisions of these Regulations is punishable by a fine not to exceed three hundred dollars (\$300) or imprisonment for not more than ninety (90) days, or both, in accordance with NMSA 1978 § 4-37-3.

ARTICLE 12. AMENDMENT

These regulations may be amended from time to time as conditions warrant. Amendments shall be made in accordance with the New Mexico Subdivision Act, NMSA 1978 Section 47-6-1 *et seq.*

ARTICLE 13. SEVERABILITY

The provisions of these Regulations are severable, and if any provision, sentence, clause, section, or part hereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality or inapplicability shall not affect or

impair any of the remaining provisions, sentences, clauses, sections or parts of these Regulations or their application to other persons or circumstances. It is hereby declared to be the intent of the County that these Regulations would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included herein, and if the person or circumstances to which these Regulations or any part thereof are inapplicable had been specifically exempted therefrom.

ARTICLE 14. REPEAL AND EFFECTIVE DATE.

These Regulations repeal and amend "Union County's Subdivision Regulations" approved as an ordinance on September 4, 1973 and recorded in Miscellaneous Book 36, pages 486-521 of the records of Union County.

THE BOARD OF COUNTY COMMISSIONERS
OF UNION COUNTY, NEW MEXICO

By: _____
Chair

Attest:

County Clerk

Priorities for Road Vacations. The County Commission may permanently vacate a County road when it can be determined that the road will not in the foreseeable future be necessary, beneficial, or valuable for public use as a County road, and as such the County would not in the foreseeable future be in a position after such road is vacated, to have to obtain and use County funds to reacquire right-of-way to the road, and the road is not necessary or beneficial for any of the following purposes, all of which are hereby declared to be of substantial value to Union County:

1. Used as officially declared school bus route or postal road.
2. Serves as a primary farm to market road which has and may provide substantial revenues for the County.
3. Serves as primary access for production of minerals which may provide substantial revenues to the County.
4. Serves as primary access to recreational areas for a substantial number of Union County citizens

Cattle Guards. Any person in the County who wishes to have a cattle guard installed on any County Maintained Road must apply by submitting an application form to the Road Superintendent. An administrative fee of \$50.00 and installation fee of \$300.00 must accompany this application. All forms are to be provided by the Road Department and are available on Union County's website. (Attachment). If the request for installation of a new cattle guard is approved, the applicant must provide the cattle guard at the applicant's expense and the cattle guard must meet Road Department specifications. (Attachment)

The application for a cattle guard will be reviewed on a case-by-case basis. In determining whether to install a cattle guard, the Road Superintendent will consider the circumstances at the requested cattle guard site, including but not limited to number and location of other existing cattle guards, convenience of relevant fencing and other appropriate factors. The County reserves the right to refuse to install a cattle guard unless it is required on a school bus route. The County will typically only install cattle guards at or near section lines. However, the final location will be at the discretion of the Road Superintendent.

All work to install a cattle guard on a County Maintained Road will be performed by the Road Department. No person or entity will be allowed to perform any work on cattle guards. Any person or entity that performs any work on cattle guards other than the Road Department is liable for any damage, injury or accident caused from cleaning, maintenance, or improper installation of a cattle guard.

The Road Department is responsible for maintaining and cleaning County owned cattle guards on County roads and all such work will be performed by Road Department personnel. Cleaning of cattle guards include removal of sand, dirt, silt, and other debris which renders the cattle guard ineffective. In the event that a cattle guard needs to be cleaned before Road Department personnel return for regularly scheduled maintenance, the Road Superintendent should be notified and a request form (available on Union County's website) for cattle guard cleaning can

List of Proposed County Roads for Closure

Hurley Rd.	Drew Rd.
Buck Rd.	Gable Rd.
Witt Rd.	Dogie Rd.
Bates Rd.	Cinch Rd.
Bolz. Rd.	Long Rd.
Entrania Springs Rd.	Grande Rd.
Jacobs Rd.	Doak Rd.
Stone Rd.	Grine Rd.
Can Do Rd.	
Lum Rd.	
Wiggins Rd.	
Goodson. Rd.	
Chapman Rd.	
Brown Rd.	
Dead End Rd.	
Montano Rd.	
Pinabetes Rd.	
Farber Rd.	
Latigo Rd.	
½ Harris Rd.	
Hindes Rd.	
Price Rd.	
½ Soggy Rd.	
Rainbow Rd.	



Stephanie Garcia Richard
COMMISSIONER

*State of New Mexico
Commissioner of Public Lands*

310 OLD SANTA FE TRAIL
P.O. BOX 1148
SANTA FE, NEW MEXICO 87504-1148

COMMISSIONER'S
OFFICE
Phone (505) 827-5760
Fax (505) 827-5766
www.nmstatelands.org

September 16, 2025

Brandy Thompson
County Manager
Union County
200 Court Street
Clayton, NM 88415

RE: NEW MEXICO STATE LAND OFFICE COUNTY ROAD PROGRAM FOR EXISTING ROADS

Dear Mr. Jaramillo:

I am reaching out to encourage **Union County** to participate in the State Land Office's Road Amnesty Program and take advantage of this unique opportunity to legalize county roads currently traversing State Trust Lands (STL). These roads provide critical infrastructure, ensuring residents can access their homes, schools, businesses, and other essential services.

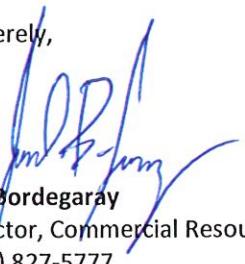
At present, any road constructed and operating on STL without a valid right-of-way issued by our office is considered to be in trespass. The State Land Office, under the Enabling Act, is required to charge for all uses of State Trust Lands, with revenues directly supporting public schools, universities, and other trust beneficiaries. By entering the program, the county will not only bring its roads into compliance but also secure eligibility for road maintenance and funding assistance.

Normally, the standard right-of-way cost for new roads on STL is \$30 per rod (16.5 feet), based on a 30-foot-wide road, with existing roads reduced to \$20 per rod for a 35-year term. Through our amnesty program, however, counties receive a significant discount: just **\$1.16 per rod**—an approximate **96% reduction for new roads and 60% for existing roads**. Even more importantly, instead of a fixed 35-year term, legalized county roads under the program remain valid for as long as they are used and maintained by the county. This provides long-term certainty at a fraction of the normal cost.

We have reached out in the past to address this issue, but progress has been delayed. We would like to meet with you at your earliest convenience to review our road inventory and begin the process of legalizing your county roads under this program.

Please feel free to contact me at (505) 827-5777, or Melissa Armijo, Deputy Director, at (505) 827-5728 if you have any questions and to schedule a meeting. We look forward to working with you to ensure your county and its residents benefit from this opportunity.

Sincerely,


Jim Bordegaray
Director, Commercial Resources Division
(505) 827-5777
jbordegaray@nmslo.gov

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 1

INVC#	Name	Description	Line Item	PO#	Amount
S6-3175731	A & I CAR CARE	INV#S6-3175731 PARTS		402252012	492.76
492.76 TOTS					
PAID	P.O. BOX 1146				
492.76 BAL	STRATFORD TX 79084 1146				
S6-3175880	A & I CAR CARE	INV#S6-3175880 PARTS	402252012		416.20
416.20 TOTS					
PAID	P.O. BOX 1146				
416.20 BAL	STRATFORD TX 79084 1146				
S6-3176240	A & I CAR CARE	INV#S6-3176240 HUB CAP	402252012		132.62
132.62 TOTS					
PAID	P.O. BOX 1146				
132.62 BAL	STRATFORD TX 79084 1146				
S6-3177939	A & I CAR CARE	INV#S6-3177939 PARTS	402252012		204.52
204.52 TOTS					
PAID	P.O. BOX 1146				
204.52 BAL	STRATFORD TX 79084 1146				
824585	ALPINE LUMBER	INV#824585 CULVERTS BANDS	402252080		3943.00
3943.00 TOTS					
PAID	445 NORTH 1ST STREET				
3943.00 BAL	RATON NM 87740				
1QW9TW99EP9ND	AMAZON CAPITAL SERVICES, INC.	PAPER TOWELS	401032046		16.74
64.23 TOTS		ANTI-FATIGUE MAT	415682081		47.49
PAID	P.O. BOX 035184				
64.23 BAL	SEATTLE WA 98124 5184				
1519	ARRINGTON PLUMBING HEAT & AIR	INV#1519 SERVICE COURTHOUSE HVAC	401032023		161.81
161.81 TOTS	PAUL ARRINGTON				
PAID	414 WILSON ST				
161.81 BAL	CLAYTON NM 88415				
1562	ARRINGTON PLUMBING HEAT & AIR	SERVICE SHERIFF OFFICE HVAC	401032023		3382.91
3382.91 TOTS	PAUL ARRINGTON				
PAID	414 WILSON ST				
3382.91 BAL	CLAYTON NM 88415				
1012026	BACA VALLEY TELEPHONE CO.	PANIC BUTTON #1966	401032025		39.62
751.85 TOTS		GREENVILLE FD #507	411572025		68.25
PAID	P.O. BOX 67	FIRE ALARM #2159	401032025		34.51
751.85 BAL	DES MOINES NM 88418	EMAIL HOSTING #2159	401032025		29.90
		TOWER LEASE #2159	415682076		320.80
		SHERIFF SUBSTATION #5184	415682076		70.39
		CAPULIN FD #122	407412025		117.99
		SHERIFF #5184	401082007		70.39
25-C25776	BENNETTS LLC	CYLINDER LEASE	414672076		23.82
23.82 TOTS					
PAID	P.O. BOX 27				
23.82 BAL	RATON NM 87740				
86031065	BOUND TREE MEDICAL, LLC	INV#86031065 MEDICAL SUPPLIES	412612076		846.64
846.64 TOTS					
PAID	23537 NETWORK PLACE				

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 2

INVC#	Name	Description	Line Item	PO#	Amount
846.64	BAL CHICAGO IL 60673 1235				
86032650	BOUND TREE MEDICAL, LLC	INV#86032650 MEDICAL SUPPLIES	412612076	30071	43.39
43.39	TOT\$ PAID				
43.39	BAL 23537 NETWORK PLACE				
43.39	BAL CHICAGO IL 60673 1235				
86043291	BOUND TREE MEDICAL, LLC	INV#86043291 MEDICAL SUPPLIES	412612076	30077	162.53
162.53	TOT\$ PAID				
162.53	BAL 23537 NETWORK PLACE				
162.53	BAL CHICAGO IL 60673 1235				
119732	BRADLEY SUPPLY	INV#119732 BUCKET/SPREADER	401032046	30054	36.58
36.58	TOT\$ PAID				
36.58	BAL 102 S. FRONT				
36.58	BAL CLAYTON NM 88415				
119834	BRADLEY SUPPLY	INV#119834 TANK LEVER	401032046	29721	16.99
16.99	TOT\$ PAID				
16.99	BAL 102 S. FRONT				
16.99	BAL CLAYTON NM 88415				
119780	BRADLEY SUPPLY	INV#119780 ICE MELT	401032046	29721	15.98
15.98	TOT\$ PAID				
15.98	BAL 102 S. FRONT				
15.98	BAL CLAYTON NM 88415				
119775	BRADLEY SUPPLY	INV#119775 SUPPLIES	402252076	29721	19.99
19.99	TOT\$ PAID				
19.99	BAL 102 S. FRONT				
19.99	BAL CLAYTON NM 88415				
119226-1	BRANDY THOMPSON	80% PER DIEM NMCLIA & LEG CON	401022010	29979	637.60
637.60	TOT\$ PAID				
637.60	BAL 618 MCKAY RD				
637.60	BAL CLAYTON NM 88415				
1222025-1	BRANDY THOMPSON	20% PER DIEM NMCLIA & LEG CON	401022010	29979	159.40
159.40	TOT\$ PAID				
159.40	BAL 618 MCKAY RD				
159.40	BAL CLAYTON NM 88415				
A20165616	BURNS DO-IT CENTER	CLEANING SUPPLIES	401032009	30068	91.43
91.43	TOT\$ PAID				
91.43	BAL 300 N 2ND STREET				
91.43	BAL TEXLINE TX 79087				
5728-479010	CARQUEST-RATON	INV#5728-479010 THERMOSTAT	407412076	30000	81.95
81.95	TOT\$ PAID				
81.95	BAL 326 S. SECOND ST.				
81.95	BAL RATON NM 87740				
1202026-2	CASSIE NEWTON	80% PER DIEM NMC LEG CONF	401062010	30090	438.40
438.40	TOT\$ PAID				
438.40	BAL 21 MOUNTAIN VIEW RD				
438.40	BAL CLAYTON NM 88415				
1222026-2	CASSIE NEWTON	20% PER DIEM NMC LEG CONF	401062010	30090	109.60

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 3

PO# Amount

INVC#	Name	Description	Line Item	PO#	Amount
109.60	TOTS PAID BAL	21 MOUNTAIN VIEW RD CLAYTON NM 88415			
37947467	CATERPILLAR FINANCIAL SER. CO.	LEASE CONTRACT#001-1041511-000 LEASE CONTRACT#001-1029230-000 LEASE CONTRACT#001-1029228-000 LEASE CONTRACT#001-1041511-000	40222013 40222013 40222013 40222013	29732 29732 29732 29732	2711.76 2711.76 2711.76 2711.76
11060.59	TOTS PAID BAL	P O BOX 100647 PASADENA CA 91189 0647			
11060.59	TOTS PAID BAL				2925.31
1192026-5	CHERYL GARCIA	80% PER DIEM LEGISLATIVE CONF	401022010	30072	637.60
637.60	TOTS PAID BAL	416 JEFFERSON ST CLAYTON NM 88415			
1222026-3	CHERYL GARCIA	20% PER DIEM LEGISLATIVE CONF	401022010	30072	159.40
159.40	TOTS PAID BAL	416 JEFFERSON ST CLAYTON NM 88415			
1062026	CHRISTIAN N. RAINES	MEAL FOR INMATE	401032036	30091	12.70
12.70	TOTS PAID BAL	520 CHESTNUT ST CLOVIS NM 88101			
215	CIVILITY GOVERNMENT RELATIONS, LLC	LOBBYIST SERVICE/SALES TAX	401012101	29733	1619.06
1619.06	TOTS PAID BAL	1421 N MAIN ST CLOVIS NM 88101			
1619.06	TOTS PAID BAL				
10517	D&T AUTO & TRUCK REPAIR, LLC	ROTORS, BRAKES, OIL CHANGE	605922012	30019	571.70
571.70	TOTS PAID BAL	429 YORK CANYON ROAD RATON NM 87740			
10855541108	DELL MARKETING L.P. C/O DELL USA L.P.	LAPTOP, COMPUTER AND MONITORS	401022081	30063	2810.95
2810.95	TOTS PAID BAL	P.O. BOX 802816 CHICAGO IL 60680 2816			
10855541116	DELL MARKETING L.P. C/O DELL USA L.P.	DELL LAPTOP	604892081	30065	1212.98
1212.98	TOTS PAID BAL	P.O. BOX 802816 CHICAGO IL 60680 2816			
1222026-4	DEVIAN FIELDS	80% PER DIEM WINTER CONFERENCE	401042010	30029	438.40
438.40	TOTS PAID BAL	P.O. BOX 33 TEXLINE TX 79087			
1222026-4	DEVIAN FIELDS	20% PER DIEM WINTER CONFERENCE	401042010	30029	109.60
109.60	TOTS PAID BAL	P.O. BOX 33 TEXLINE TX 79087			
EY350A09	EVERYTHING2GO.COM LLC	INV#EX350A09 STANDING DESK	415682081	30069	759.00
759.00	TOTS PAID	250 E WISCONSIN AVE STE 1525			

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 4

INVC#	Name	Description	Line Item	PO#	Amount
759.00	BAL	MILWAUKEE WI 53202			
FY26-6	FRANK G. MAGOURILOS	PREVENTIONIST CONTRACT SERVICES 426752101			29749 500.00
500.00	TOTS PAID	4309 SUMMERSVILLE DR. NW ALBUQUERQUE NM 87120 3831			
33261	FREDDY'S TIRE & SERVICE, LLC	INV#33261 TIRE REPAIR	401032011		20.00
20.00	TOTS PAID	115 S FRONT ST CLAYTON NM 88415			
33269	FREDDY'S TIRE & SERVICE, LLC	INV#33269 OIL CHANGE/ROTATION	401032011		124.00
124.00	TOTS PAID	115 S FRONT ST CLAYTON NM 88415			
4440	FREDDY'S TIRE & SERVICE, LLC	INV#4440 TIRE REPAIR	401032011		20.00
20.00	TOTS PAID	115 S FRONT ST CLAYTON NM 88415			
33336	FREDDY'S TIRE & SERVICE, LLC	INV#3336 OIL CHANGE	401032011		79.00
79.00	TOTS PAID	115 S FRONT ST CLAYTON NM 88415			
438.40	TOTS PAID	317 COURT ST CLAYTON NM 88415			438.40
120226-1	HOLLIE SANDOVAL	80% PER DIEM NMC LEG CONF	401062010		30089 109.60
109.60	TOTS PAID	317 COURT ST CLAYTON NM 88415			
139.93	TOTS PAID	P.O. BOX 96874 CHICAGO IL 60693 6874			410532076 139.93
B1-437601561	HUGHESNET NETWORK SYSTEMS LLC	FY 25			
139.93	TOTS PAID	JOHN GRICE 80% PER DIEM DOMESTIC VIOLENT TRAIN 605922010			30094 488.00
1132026-2	JOHN GRICE				
488.00	TOTS PAID	921 WALNUT ST CLAYTON NM 88415			
122.00	TOTS PAID	JOHN GRICE PER DIEM DOMESTIC VIOLENCE TRAIN 605922010			30094 122.00
1202026-3	KIMBERLY J. MITCHELL	80% PER DIEM 2026 CONFERENCE	401042010		30030 438.40
438.40	TOTS PAID	1805 LAKE HWY CLAYTON NM 88415			
1222026	KIMBERLY J. MITCHELL	20% PER DIEM 2026 CONFERENCE	401042010		30030 109.60

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 5

INVC#	Name	Description	Line Item	PO#	Amount
109.60	TOT\$ PAID	1805 LAKE HWY			
109.60	BAL	CLAYTON NM 88415			
57439-3-2026	KS STATE BANK	LOAN PRINCIPAL	408452130	29969	12757.23
15411.40	TOTS PAID	GOVERNMENT FINANCE P.O. BOX 69	408452131	29969	2654.17
15411.40	BAL	MANHATTAN KS 66505			
454.99	TOT\$ PAID	L & K ELECTRIC 54 SPRINGER HWY	ELECTRIC DRY CIMARRON	410532023	454.99
454.99	BAL	CLAYTON NM 88415			
21000.00	TOTS PAID	3165 LARGO TANK & EQUIPMENT INC.	SKID UNIT	410532076	21000.00
21000.00	BAL	FARMINGTON NM 87401			
1500.00	TOTS PAID	3162 LARGO TANK & EQUIPMENT INC.	INV#3162 FOAM POLY TANK	410532076	1500.00
1500.00	BAL	FARMINGTON NM 87401			
1373.98	TOTS PAID	3159 LARGO TANK & EQUIPMENT INC.	INV#3159 FITTINGS MODEL 52 SKID	410532076	1373.98
1373.98	BAL	FARMINGTON NM 87401			
40.13	TOTS PAID	53896526 LINDE GAS & EQUIPMENT INC DEPT 0889	INV#53896526 CYLINDER LEASE	402252076	40.13
40.13	BAL	PO BOX 120889 DALLAS TX 75312 0889			
5000.00	TOTS PAID	1052026 LUIS DE LA CRUZ	CONTRACTUAL MOVING EXPENSE	401012101	5000.00
5000.00	BAL	823 MAPLE ST CLAYTON NM 88415			
637.60	TOTS PAID	1192026-2 LUIS DE LA CRUZ	80%PER DIEM NMCLA MEETING & CONF	401022010	637.60
637.60	BAL	823 MAPLE ST CLAYTON NM 88415			
159.40	TOTS PAID	1222026-2 LUIS DE LA CRUZ	20%PER DIEM NMCLA MEETING & CONF	401022010	159.40
159.40	BAL	823 MAPLE ST CLAYTON NM 88415			
1178.00	TOTS PAID	17 M.R.S. MONITORING & RECOVERY SERVICES	COMMUNITY CUSTODY MONITORS	424772307	1178.00
1178.00	BAL	1226 S. 2ND ST RATON NM 87740			
472.00	TOTS PAID	1132026-1 MATTHEW ORDONEZ	80% PER DIEM DOMESTIC VIOL TRAIN	605922010	472.00
472.00	BAL	29 DILLON CREEK RD RATON NM 87740			

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 6

INVC#	Name	Description	Line Item	PO#	Amount
1162026-1	MATTHEW ORDONEZ	20% PER DIEM DOMESTIC VIOL TRAIN 605922010			118.00
118.00	TOTS PAID	29 DILLON CREEK RD			
118.00	BAL	RATON NM 87740			
4383551	MAYFIELD PAPER COMPANY	INV#4383551 JANITOR SUPPLIES	401032046		29777
368.43	TOTS PAID	BOX 3889			368.43
368.43	BAL	SAN ANGELO TX 76902			
4378653	MAYFIELD PAPER COMPANY	INV#4378653 JANITOR SUPPLIES	401032046		29777
124.66	TOTS PAID	BOX 3889			124.66
124.66	BAL	SAN ANGELO TX 76902			
90511	MC CLURES BIG J PARTS	INV#90511 STARTING FLUID	402252076		29724
11.72	TOTS PAID	P.O. BOX 94			11.72
11.72	BAL	CLAYTON NM 88415			
90540	MC CLURES BIG J PARTS	INV#90540 OIL/FILTER	402252076		29724
79.54	TOTS PAID	P.O. BOX 94			79.54
79.54	BAL	CLAYTON NM 88415			
90547	MC CLURES BIG J PARTS	INV#90547 FILTER	402252076		29724
41.36	TOTS PAID	P.O. BOX 94			41.36
41.36	BAL	CLAYTON NM 88415			
90557	MC CLURES BIG J PARTS	INV#90557 FUEL HOSE	402252076		29724
31.50	TOTS PAID	P.O. BOX 94			31.50
31.50	BAL	CLAYTON NM 88415			
90560	MC CLURES BIG J PARTS	INV#90560 FILTERS	402252076		29724
123.16	TOTS PAID	P.O. BOX 94			123.16
123.16	BAL	CLAYTON NM 88415			
90578	MC CLURES BIG J PARTS	INV#90578 FILTERS	402252076		29724
112.34	TOTS PAID	P.O. BOX 94			112.34
112.34	BAL	CLAYTON NM 88415			
90589	MC CLURES BIG J PARTS	INV#90589 AIR FILTER	402252076		29724
175.25	TOTS PAID	P.O. BOX 94			175.25
175.25	BAL	CLAYTON NM 88415			
1072026	NM ASSOCIATION OF EMERGENCY MANAGEMENT PROFESSIONALS	NMAEMP MEMBERSHIP	401102010		30093
60.00	TOTS PAID	321 N CONNELLY ST			60.00
60.00	BAL	CLOVIS NM 88101			
LE-00275	NMCLA- LAW ENFORCEMENT POOL	LAW ENFORCEMENT LIABILITY	401012074		30062
77446.00	TOTS PAID	444 GALISTEO ST			77446.00

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 7

INVC#	Name	Description	Line Item	PO#	Amount
77446.00	BAL SANTA FE NM 87501				
1052025	NMSU UNION COUNTY EXTENSION	FY26 ALLOCATION	401012114	29929	22367.25
22367.25	PAID P.O. BOX 428 CLAYTON NM 88415				
452923085001	OFFICE DEPOT	INV#452923085001 ENVELOPES	401062009	30073	359.35
359.35	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
45294040001	OFFICE DEPOT	INV#45294040001 OFFICE SUPPLIES 401062009			22.29
22.29	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
45292441001	OFFICE DEPOT	INV#45292441001 OFFICE SUPPLIES 401062009			100.90
100.90	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
45401387001	OFFICE DEPOT	INV#45401387001 TISSUE/BATTERIES 401022009			65.41
65.41	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
44975148001	OFFICE DEPOT	INV#44975148001 OFFICE SUPPLIES 415682009			98.79
98.79	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
449757434001	OFFICE DEPOT	INV#449757434001 OFFICE SUPPLIES 415682009			21.77
21.77	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
448911865001	OFFICE DEPOT	HIGH BACK OFFICE CHAIRS (2)	605932081	30048	705.81
705.81	PAID P.O. BOX 660113 DALLAS TX 75266 0113				
449370223001	OFFICE DEPOT	INV#449370223001 COMPUTER MONITOR 605932081			30048
200.13	PAID P.O. BOX 660113 DALLAS TX 75266 0113				200.13
3321791938	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	QTR SERVICE CHARGE	401022006	29765	465.00
465.00	PAID PO BOX 981022 BOSTON MA 02298 1022				
12182025	PROPERTY TAX DIVISION APPRAISAL BUREAU	IAAO COURSE 101 C. NEWTON	401062010	30074	355.00
355.00	PAID P.O. BOX 25126 SANTA FE NM 87504 5126				
1012026	PTCI	INV#1012026 TELEPHONE SERVICES	410532025	29740	48.70

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 9

INVC#	Name	Description	Line	Item	PO#	Amount
106.02	TOT\$ PAID BAL	PO BOX 387 CLAYTON NM 88415				29936 40.48
40.48	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37089 PROPANE - MAIN		410532025	29936 40.48
92.07	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37232 PROPANE - AMISTAD NORTH		409492025	29936 92.07
92.07	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37233 PROPANE - AMISTAD SOUTH		409492025	29936 146.48
146.48	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37234 PROPANE-AMISTAD HAYDEN		409492025	29936 67.43
67.43	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37160 PROPANE - SEDAN BOGGS		408452025	29936 70.22
70.22	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37402 REPAIRS		412612012	29936 123.50
123.50	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37584 PROPANE - CAPULIN EMS		412612076	29936 228.32
228.32	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37585 PROPANE - CAPULIN FD		407412025	29936 382.54
382.54	TOT\$ PAID BAL	SOUTHWESTERN PROPANE PO BOX 387 CLAYTON NM 88415	INV#37585 PROPANE - CAPULIN FD		407412025	29936 382.54
382.54	TOT\$ PAID BAL	SPC OFFICE PRODUCTS PO BOX 39 GUYMON OK 73942	CHAIR MATS (4)		605932081	30051 540.40
540.40	TOT\$ PAID BAL	SWAGERTY TRADING CO. PO BOX 88 CLAYTON NM 88415	INV#24036 SUPPLIES		402252076	29719 5.55
5.55	TOT\$ PAID BAL	SWAGERTY TRADING CO. PO BOX 88 CLAYTON NM 88415	INV#24040 KEYS		401032046	30020 10.00
10.00	TOT\$ PAID BAL	SWAGERTY TRADING CO. PO BOX 88 CLAYTON NM 88415				

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 10

INVC#	Name	Description	Line Item	PO#	Amount
12312025	TOWN OF CLAYTON	DISPATCH	500812112		29759
9962.76	TOTS PAID	1 CHESTNUT CLAYTON NM 88415			9962.76
12222025	TOWN OF CLAYTON	ACCT#11-0035-01 ROAD DEPT ACCT#12-0330-03 SHERIFF ACCT#22-1198-03 SHERIFF ACCT#32-0214-02 ADMIN ACCT#32-0220-02 ADMIN ACCT#32-0275-01 COURT HOUSE ACCT#32-0280-01 ANNEX ACCT#41-0655-06 OLD REFD	402252025 401032025 401032025 401032025 401032025 401032025 401032025 401032025 401032025	29741 29741 29741 29741 29741 29741 29741 29741 29741	113.63 309.52 174.28 88.53 267.77 506.35 38.44 70.26
46601	TRI-STATE RECYCLING LLC	DUMPSTER SERVICE WEEKLY	411572025		29729
379.12	TOTS PAID	P.O. BOX 235 TEXLINE TX 79087			379.12
46237	TRI-STATE RECYCLING LLC	DUMPSTER SERVICE BI-WEEKLY	409492025		29729
820.00	TOTS PAID	P.O. BOX 235 TEXLINE TX 79087			820.00
2850301722	UNIFIRST CORPORATION	MONTHLY SERVICE	401032046		29731
65.55	TOTS PAID	PO BOX 650481 DALLAS TX 75265 0481			65.55
12012025	VIGIL MALDONADO DETENTION CENTER	INMATE HOUSING INMATE PHARMACY	424772307 424772018		29754 29754
28799.80	TOTS PAID	444 EAST HEREFORD AVE RATON NM 87740			28730.00 69.80
PS060120681	WARREN CAT	INV#PS060120681 ELEMENT/FILTER	402252012		29723
535.04	TOTS PAID	PO BOX 842116 DALLAS TX 75284 2116			535.04
PS060120720	WARREN CAT	INV#PS060120720 FILTERS	402252012		29723
782.88	TOTS PAID	PO BOX 842116 DALLAS TX 75284 2116			782.88
PS060121089	WARREN CAT	INV#PS060121089 HOSE	402252012		29723
140.06	TOTS PAID	PO BOX 842116 DALLAS TX 75284 2116			140.06
DM31897	WARREN CAT	INV#DM31897 WORK ON 150	402252076		29723
4734.27	TOTS PAID	PO BOX 842116 DALLAS TX 75284 2116			4734.27
109706299	WEX BANK				
13664.97	TOTS PAID	PO BOX 6293			
		FUEL - FC	415682076		230.75
		FUEL - MAINTENANCE	401032011		29787
		FUEL - MANAGERS	401022011		29787

Date: 1/08/26 14:02:26

OUTSTANDING INVOICES

Page: 11

INVC#	Name	Description	Line Item	PO#	Amount
13664.97	CAROL STREAM IL 60197 6293	FUEL - ROAD DEPT	402252044	29787	10458.90
		FUEL - SHERIFF	401082011	29787	2905.46
		FUEL - CAPULIN EMS	412612076	29787	34.00

25-656	WHITE SANDS DRUG & ALCOHOL COMP.	INV#25-656 DRUG/ALCOHOL SCREEN	401082101	30008	339.66
339.66	TOTS				
	PAID	11110 WASHINGTON AVE			
339.66	BAL	ALAMOGORDO NM 88310			

4879	ZITRO TECHNOLOGY SOLUTIONS	MANAGED IT SUPPORT	401022102	30001	2523.31
2898.31	TOTS	REMOTE MGMT/TECH ASSIST	402252076	30001	150.00
	PAID	REMOTE MGMT/TECH ASSIST	401082102	30001	225.00
2898.31	BAL	LAS VEGAS NM 87701			

TOTAL INVOICING

253653.16