

SPECIAL MEETING FOR THE LOWER GALLINAS LAND GRANT

DATE: Thursday, May 8, 2025

TIME - 10:00 am

LOCATION - Gallinas Fire Station

APPROVED MINUTES-8/22/2025

- I. Call to order.
- II. Invocation.
- III. Roll call of officers: Bobby Padilla, Margaret Lucero and Tony Benavidez
- IV. Approval of Agenda.
- V. Special meeting information Old Business:
 - a. Compensation from FEMA

- Motion to accept the number of members to receive compensation

MOTION 72 members on record to date will receive compensation made by Bobby Padilla

SECOND: 72 members get compensation by Tony Benavidez

VOTE: All board members in favor **MOTION PASSED**

- Motion to accept Compensation for loss to each LGLG member.

Board members explained that there were many obstacles, the largest was about not violation the Anti-Donation Clause. In 2018 there was a piece of law that dictates that land grants do not have to abide by the anti-donation clause. There is also question about paying taxes. The FEMA lawyers at the state level said that it could be done but that it was possible as long as it was a documented process. Margaret read some of the documented reasons for compensations: loss of hunting area. loss of wood to warm homes causing cost to members, Christmas tree traditions. When the Board went to a meeting yesterday the state wants the LGLG to wait until all the answers are figured out and want the LGLG to put the money into the state fund for keeping until all questions are answered. The board seeks to give a portion of the FEMA award money. The board wants to present a plan to the LGLG.

Tony Benavidez informed about getting the information/direction about allowability of giving compensation. Margaret asked attorney Michael Fineburg about the allowability. The attorney for LGLG awarded information that states that the LGLG does not have to explain how the funds were spent. There are exceptions; flood insurance/premium, etc. the LGLG award was not given for any of those reasons. The board members have been searching and asking about the allowability and have not gotten documented reasons for not allowing the compensation.

MOTION - by Bobby Padilla – 150K to 72 each of the members that totals 10.8million to be distributed as compensation.

DISCUSSION

Avedona Lucero Suggest that you keep 20-30% aside for personal income tax funds to be paid in April 2026.

Sean Benavidez-is there option to have the money disbursed in payments to the members? Margaret answered. no that is not an option. The money will be earning interest. As a treasurer at this point the answer is no.

Joseph Padilla -Will the members be getting a tax form?

Gary David Jordan -Will there be additional money coming to the members? Margaret answered for right no" this is a one time payment.

Tony Benavidez - the LGLG is setting president; we are the first ones to do this. Whatever rules they set on us will carry forward.

Sean Benavidez - Are we putting this in our bylaws, that will be a one time payment. Margaret informed that will have to be put into the LGLG procedures because we do not want to open the LGLG up to lawsuit.

Ton) Benavidez - when the membership is opened again. it will not be the same. It will be open to the 72 members and their descendants.

Margaret Lucero - the LGLG needs to define its parameters and be sure that the resources remain with the members.

Melvin Ortega - he wants to give more to the members. Keep 17 million in the bank, he suggests keeping 5 million and giving the rest to the members because there will be more money in the future awarded.

(Gary Jordan - Time is of the essence, the quicker we act the better.

Jonathan Jordan - What if we increased the amount to 250k per member so that in the event the state catches on in the future it is done.

Andrew Ortega-He thinks that I SOK is fair and a one time disbursement. If the LGLG becomes an LLC it will give a buffer from the NMLGC. The 17million should stay in the bank.

Michael Armijo - this is a one time shot, it should be increased to 250K because the interest will make up the extra amount disbursed.

Bobby Padilla-when the lawsuit was drawn up, it was proposed 83K per member. So if it was reviewed by the state they would see that it was calculated on 83K per member.

Tony Benavidez - the LGLG could purchase land with the money in the future. Joann has a piece of land available, a nice piece of land to purchase. He would like the LGLG to buy land.

Sean Benavidez - how much land is up for sale? Table for the future.

Gar) David Jordan the motion on the table is I SOK per member

Michael Montano - heard a lot of options would like to go to 250K per person

Gary David Jordan - can we amend the motion to be 200K to compromise and move forward.

Margaret Lucero - if we increase it to 200K it would have to be fought for again.

Andrew Ortega - the NMLG is not needed anymore. It only serves our interest for the capital outlay program. Even if the NMLGC asks for their funds back we could pay them back.

Joann Vigil - She was thinking it was better to get more but with the explanation about having to fight for more she thinks to stay with I SOK

Tony Benavidez - lets keep at least IO million in the bank and distribute the rest.

AMEND THE MOTION by Bobby Padilla increase the distribution from 150k to 175K

DISCUSSION

Andrew Ortega - a 250K disbursement would leave IO million in the bank

Margaret Lucero - lets be reasonable.

Anita Baca - 250K sounds good and \$150 K sounds good.

Mark Benavidez - does the amount have to be re-justified.

Andrew Ortega - who are we trying to justify this to, NMLGC or FEMA. Margaret addressed that it would not be FEMA - it would be to the DOJ or NMLGC.

Donna Jordan-Allen - Grateful to be here. She is curious could we do I SOK now and do another special meeting for another day in the future? Tony Benavidez informed we aren't sure if we could in the future.

Tony Benavidez - we need to keep it reasonable. We were cautioned about it getting too big.

Sean Benavidez - split half and half.

(An LGLG member asked if everyone could speak up with the amount they felt fair for the distribution. Each member present was called upon to state the amount they felt the distribution should be. The following documents individual members answer:

Helen Padilla - 150k

Joseph Padilla - 150k

Arthur Padilla - 150k

Esther - 150k

Michael Armijo-250k

Max Benavidez 250k

Mark Benavidez- 200k

Casey Benavidez- 200k

Adam Benavidez.- 250k

Mike Montano - 250k

Melvin Ortega - 250k

Estevan Montano 250k

Andrew Ortega -250k

Ralph Montano 250k
Melissa Gold 250k
Michael Benavidez 250k
Gary Jordan - 200k
Kenn) MartineL 200k
Jazzie Jordan-Allen- 250k
Jonathan Jordan-250k
Jesse Benavidez- 250k
Donna Jordan-Allen- 250k
Anita Baca - 200k
Paul Martinez 200k
Sean Benavidez -200k
Andrew - 200k
Luis Montano 250k
Mark Montano 250k
Joanne Vigil- 175k
Marcos 150k
Margaret Lucero - 200k
Bobby Padi lla - 200k
Tony Benavidez- 150k
Avedona Lucero 250k

Final Tally:

150k-6 people

175k-1

200k -1 0

250k - 17

SECOND- by Tony Benavidez to increase the distribution from 150k to 175k

VOTE - all in favor- MOTION PASSED

DISCUSSION -

Andrew Ortega - point of order, motion had to be amended.

Melvin Ortega- We voted for more.

Tony Benavidez - No, we are in order. Margaret we are in order.

Avedona Lucero - Explained that there was a motion by Bobby for 175K and it had to be seconded or amended. The board decided not to amend and second the 175K and it was voted on and passed.

- i. If the motion for compensation passes, members will be given the process on the distribution of FEMA money.

Chairman informed that the distribution would be May 14, 2025 from 10am-6pm at the Gallinas Fire Station. Members would need to Sign Acknowledgement form and must bring photo ID.

Anita Baca-what about people that cannot be here on 5/14/25. Bobby said the board will get ahold of the members.

11. Taxes: from our information individual compensation will not be taxed; HOWEVER PLEASE CHECK WITH YOUR TAX PREPARER AND/OR ATTORNEY.
 - I. The state is still unclear whether the compensation payment is subject to Federal or State taxes.
 2. Any money awarded by FEMA is not taxed, BUT we are not sure if this compensation will be subject to taxes as taxable income. qualifies for no taxes paid.

Board informed the membership once again that tax implications were not known at this time and each member should consult with their tax preparer.

- b. LGLG-land purchase and get a realtor-vote or table
 - a. A piece of land is up for sale
 - b. Need to get a realtor

Tony Benavidez - Do we want to get a realtor to start looking at a piece of land up for sale?

MOTION - by Tony Benavidez to move forward with the purchase of 100 acres.

DISCUSSION

Joanne Vigil informed that the acreage for sale is 119 acres and has a paved road that is taken care of by an association. It has an easement. The roads are maintained and there is a gate to entry by code. There used to be 1 or 2 wells. There is a telephone box and electricity pole by the property.

Bobby Padilla. - it belonged to Arranda. It does not border the LGLG. Joann Vigil is the seller, she is a realtor.

John Jordan how much is it? Joann said 1.2 million

Andre\ - has anyone seen the property? Tony Benavidez yes Joann has. Helen Padilla, Estevan Montano and Mickael Montano have seen the property and Arthur Padilla has seen the property and Bobby Padilla has seen it. Is there survey markers on the property? Is there erosion? He would like to table the item until the next meeting and form a committee.

Helen Padilla - the owner is in his 80's or 90's. He is an older, honest, man.

Michael (dads friend) - sounds like we may loose it if we don't act quickly. Joann said the seller is ready to sell.

Avedona - move to form committee today and then move to look at it and come back

AMENDED. MOTION - Tony Benavidez- the Board will speak to realtors and have the information and see the land before the next general meeting and verify markers and review the land. At the next general meeting will report what the found on the land and the board will vote on whether to purchase that property.

DISCUSSION

Anita Baca - On the board to look at the land.

Sean Benavidez - is there photos or drone photos, does anyone have a drone?

SECOND - By Margaret Lucero

VOTE- all in favor- **MOTION PASSED**

c. Announce the next quarterly meeting: July 19th, 2025, at 12:00pm
Chairman informed that the next regular quarterly meeting is 7/19/25

VI. Adjourn

MOTION TO ADJOURN - by Margaret Lucero

SECOND - Bobby Padilla

VOTE - All in favor - **MOTION PASSED**, adjourn at 11:37 AM