



RESOLUTION NUMBER: 2017-23

Outlining Local County Government Services and Opposing the State Imposing Any Further Financial Burdens or Obligations Upon the County

WHEREAS, the Board of County Commissioners is composed of five (5) individuals who are elected as representatives of the citizens of Roosevelt County to fulfill the mandatory and statutory obligations of County Commissioners under the Constitution and laws of the State of New Mexico. The City of Portales, Villages of Causey, Dora, Elida, and Floyd are located within Roosevelt County and also elect officials within their territorial boundaries to handle important matters pertaining to the individual rights of their constituents; and,

WHEREAS, New Mexico Counties, including Roosevelt County have a direct and substantial impact on peoples' lives. Roosevelt County, and all other Counties in New Mexico, provide the most vital services for the health, safety, and welfare of their residents, including but not limited to:

1. maintenance of approximately 1,232 miles of roads;
2. primary law enforcement coverage throughout Roosevelt County by the County Sheriff's Office;
3. fire and medical services in the outlying areas of Roosevelt County;
4. anti-DWI programs that include screening and enforcement;
5. misdemeanor probation compliance program;
6. operation of the Roosevelt County Adult Detention Center;
7. administration of local, state and federal elections, including school elections.

WHEREAS, Roosevelt County is also mandated by State law to provide assistance to the State of New Mexico, examples of which are:

1. provide adequate office space and pay utility costs for the District Courts, District Attorney's Office and public health facilities.
2. provide 1/16th of 1 percent to fund State Medicaid. Roosevelt County's annual contribution to the State is almost \$200,000 a year.
3. send 1/12th of 1 percent to the State to fund Safety Net Care programs. Roosevelt County's payment for fiscal year 2017 is \$254,100.
4. housing juvenile offenders for State Juvenile Probation Office

WHEREAS, given any further mandates from the State to fund State programs, Roosevelt County as well as other counties throughout the State of New Mexico will have no other choice but to cut important public services and programs impacting health, safety and quality of life for Roosevelt County residents and be burdened to raise taxes as a result of the State not addressing the State's responsibility.; and,

WHEREAS, Roosevelt County, by statute, is obligated to build, maintain and operate a jail. At various times, the Roosevelt County Detention Center houses inmates of the State of New Mexico. By statute §33-3B-4, NMSA 2016, State of New Mexico is obligated to reimburse Roosevelt County and other Counties for housing these State prisoners. In 2007, various Counties sued the State of New Mexico. The New Mexico Court of Appeals, in the case of *State ex rel Board of County Commissioners v. Williams*, 2007-NMCA-036, 141 NM 356, ruled that the State of New Mexico was responsible for the costs of housing parole violators who are incarcerated in a County jail at the request of the Department; and,



WHEREAS, after the Courts of the State of New Mexico ruled in favor of the Counties on the existing law, the State established a fund for providing compensation to Counties to cover these State expenses; and,

WHEREAS, despite the State law, Supreme Court ruling and legislative enactment, the State is not funding the account set up to reimburse the Counties at half the amount originally appropriated; and,

WHEREAS, Counties provide important critical health and safety service to residents and the additional fiscal burdens being passed down to the Counties for State obligation seriously compromise the local services and the healthcare that can be provided to County citizens, especially those citizens of low income and without adequate means; and,

WHEREAS, the State continues to impose financial burdens and obligations on Counties, without addressing appropriate funding. Roosevelt County and other Counties within the State of New Mexico will have no choice other than to cut important public services and programs which would impact health, safety, law enforcement services and many quality of life programs; and,

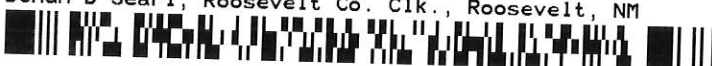
WHEREAS, many Counties are struggling mightily to balance their budgets, and are having to make do with less. In addition, over the last several years, the State has forced many Counties, including Roosevelt County, to raise taxes as a direct result of the State's reduction in services and funding, and placing more obligations on local government; and,

WHEREAS, the State has not directly raised taxes in many years, Counties have been forced to raise taxes to continue providing essential services to their residents.

NOW, THEREFORE BE IT RESOLVED that the Counties in New Mexico should not be forced to bear the State's burden of imposing taxes on its residents or cutting back on the necessary services provided to its residents due to unfunded mandates received from the State of New Mexico.

BE IT FURTHER RESOLVED that Roosevelt County requests that the Statewide elected officials include in the examination and presentation of any and all Bills and other legislation, the fiscal impact of such legislation on the individual Counties throughout the State of New Mexico.

BE IT FINALLY RESOLVED the Roosevelt County Board of Commissioners shall provide a copy of this Resolution to the Honorable Susana Martinez, Governor of the State of New Mexico and to each member of the New Mexico Senate and the New Mexico House of Representatives as well as to the County Managers and Commissioners of all other Counties in the State of New Mexico.





PASSED, APPROVED, and ADOPTED this 7th day of March, 2017.

**BODY OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, NEW MEXICO**


ATTEST:


DeAun D. Searl, Roosevelt County Clerk


Paul Grider, Chairman – District V


Gene Creighton, Vice Chairman – District IV


Dennis Lopez – District I


Matt Hunton – District II


Lewis (Shane) Lee – District III

