

STATE OF NEW MEXICO
ROOSEVELT COUNTY

The Board of Commissioners (the "Governing Body") of Roosevelt County, New Mexico, met in regular session in full conformity with law and the rules and regulations of the Governing Body, and upon due notice of a change of address, the Roosevelt County Commission Chambers, 109 West First Street, Portales, NM 88130, being the meeting place of the Governing Body for the regular meeting held on the 4th day of August, 2015, at the hour of 9:00 a.m. Upon roll call, the following members were found to be present:

Present:

Kendell Buzard
Jake Lopez
Gene Creighton
Richard Leal
Lewis Shane Lee

Absent:

none

Also Present:

Listed in meeting minutes

Thereupon, there was officially filed with the County Clerk a copy of a proposed Resolution in final form.

ROOSEVELT COUNTY, NEW MEXICO
RESOLUTION NO. 2015-56

AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO LOAN AGREEMENT BETWEEN ROOSEVELT COUNTY (THE "GOVERNMENTAL UNIT") AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT IN THE PRINCIPAL AMOUNT OF \$3,668,741, TOGETHER WITH INTEREST THEREON, FOR THE PURPOSE OF DEFERRING CERTAIN PAYMENTS; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE AMENDMENT TO LOAN AGREEMENT.

PREAMBLE

WHEREAS, the Governmental Unit is a legally and regularly created, established, organized and existing county under the general laws of the State; and

WHEREAS, the Governing Body and the New Mexico Finance Authority entered into a Loan Agreement dated June 13, 2014 in the amount of \$3,668,741 for the purposes set forth in County Loan Ordinance No. 2014-06; and

WHEREAS, the Governmental Unit and the New Mexico Finance Authority wish to adjust certain payment amounts owed by the Governmental Unit to the New Mexico Finance Authority pursuant to the Loan Agreement allowing for a capitalized interest period and the deferral of certain principal payments, without adding the interest rate or maturity date set forth in the Loan Agreement; and

WHEREAS, there have been presented to the Governing Body and there presently are on file with the County Clerk this Resolution the form of the Amendment to Loan Agreement, which is incorporated by reference and considered to be a part hereof; and

WHEREAS, the Governing Body intends by this Resolution to authorize the execution and delivery of the Amendment to Loan Agreement in the amount and for the purposes set forth herein; and

WHEREAS, all required authorizations, consents and approvals in connection with the authorization, execution and delivery of the Amendment to Loan Agreement which are required to have been obtained by the date of this Resolution, have been obtained or are reasonably expected to be obtained.

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RES

DeAnn D Searl, Roosevelt Co. Clk., Roosevelt, NM



NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF ROOSEVELT COUNTY, NEW MEXICO:

Section 1. Ratification. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Governing Body and officers of the Governmental Unit directed toward the execution and delivery of the Amendment to Loan Agreement, be, and the same hereby are, ratified, approved and confirmed.

Section 2. Authorization of the Amendment to Loan Agreement. The execution and delivery of the Amendment to Loan Agreement is hereby authorized and ordered.

Section 3. Amendment to Loan.

A. Detail. The Amendment to Loan Agreement shall be in substantially the form of the Amendment to Loan Agreement presented at the meeting of the Governing Body at which this Resolution was adopted. The Loan shall be payable in revised installments of principal due on May 1 of the years designated in Exhibit "A" to the Amendment to Loan Agreement and bear interest payable on November 1 and May 1 of each year, beginning on November 1, 2015, at the rates designated in Exhibit "A" to the Amendment to Loan Agreement.

Section 4. Approval of Amendment to Loan Agreement. The form of the Amendment to Loan Agreement as presented at the meeting of the Governing Body at which this Resolution was adopted is hereby approved. Authorized Officers are hereby individually authorized to execute, acknowledge and deliver the Amendment to Loan Agreement with such changes, insertions and omissions as may be approved by such individual Authorized Officers, and the County Clerk is hereby authorized to affix the seal of the Governmental Unit on the Amendment to Loan Agreement and attest the same. The execution of the Amendment to Loan Agreement shall be conclusive evidence of such approval.

Section 5. Severability Clause. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Resolution Irrepealable. After the Amendment to Loan Agreement has been executed and delivered, this Resolution shall be and remain irrepealable until all obligations due under the Loan Agreement shall be fully paid, canceled and discharged, as herein provided.

Section 7. Survival and Repealer Clause. Except as specifically modified hereby, all provisions of Ordinance 2014-06, and the documents therein approved shall remain in full force and effect. All other bylaws, orders, resolutions, and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. Except as set forth in the first sentence, this survival and repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

Section 8. Effective Date. Upon due adoption of this Resolution, it shall be recorded in the book of the Governmental Unit kept for that purpose, authenticated by the signatures of the Chairman of the Board of Commissioners, the County Manager and the County Clerk of the Governmental Unit.



PASSED, APPROVED AND ADOPTED THIS 4th DAY OF AUGUST, 2015.

ROOSEVELT COUNTY, NEW MEXICO

By: Kendell Buzard
Kendell Buzard, Chairman, District V

By: Jake Lopez
Jake Lopez, Vice Chairman, District I

By: Gene Creighton
Gene Creighton, District IV

By: Richard Leal
Richard Leal, District II

By: Lewis (Shane) Lee
Lewis (Shane) Lee, District III

[SEAL]

ATTEST:

By: DeAun D Searl
DeAun Searl, County Clerk



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DeAun D Searl, Roosevelt Co. Clk., Roosevelt, NM



Commissioner Richard Leal then moved adoption of the foregoing Resolution, duly seconded by Commissioner Gene Creighton.

The motion to adopt said Resolution, upon being put to a vote, was passed and adopted on the following recorded vote:

Those Voting Aye:

Kendell Buzard
Jake Lopez
Gene Creighton
Richard Leal
Lewis Shane Lee

Those Voting Nay: None

Those Absent: None

Five (5) members of the Governing Body having voted in favor of said motion, the Chairman of the Board of Commissioners declared said motion carried and said Resolution adopted, whereupon the Chairman of the Board of Commissioners and the County Clerk signed the Resolution upon the records of the minutes of the Governing Body.

After consideration of matters not relating to the Resolution, the meeting on the motion duly made, seconded and unanimously carried, was adjourned.

ROOSEVELT COUNTY, NEW MEXICO

By: Kendell Buzard
Kendell Buzard, Chairman of the
Board of Commissioners



ATTEST:

By: DeAun Searl
DeAun Searl, County Clerk

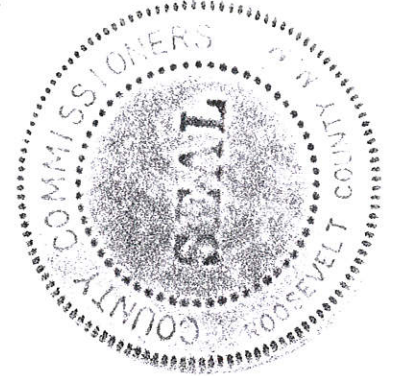


EXHIBIT "A"

Meeting Agenda
of the August 4, 2015
Board of Commissioners Meeting

(See attached)

AGENDA
ROOSEVELT COUNTY BOARD OF COMMISSIONERS
REGULAR BUSINESS MEETING
Tuesday, Aug. 4, 2015 9:00 a.m.
Roosevelt County Courthouse
County Commission Room
109 W. First St.
Portales, NM 88130



Call Meeting to Order

Invocation

Pledge of Allegiance

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Salute to the Flag of New Mexico

"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."

1) Approval of Agenda:

2) Approval of Minutes:

Approve Minutes of July 30, 2015 Special Commission Meeting

3) Approval of Accounts Payable and Payroll:

Accounts Payable from July 1, 2015 through July 31, 2015

Check No. 68487-68581

Total: \$505,104.97

Payroll from July 1, 2015 through July 31, 2015

Total: \$132,925.30

4) Public Requests:

At the Discretion of the Commission Chair. For Information Only (**No Action Can Be Taken**). Comments are limited to two minutes per person on subjects not on this published agenda.

5) Elected Officials/Department Heads Reports:

Assessor – George Beggs

Clerk – DeAun Searl

Sheriff – Malin Parker

Treasurer – Layle Sanchez

Detention – Mark Gallegos

GIS/Rural Addressing /Floodplain Management – Johnny Montiel

Road –Juan Dominguez

Manager – Amber Hamilton

Commissioners

6) Old Business:

7) New Business:

- a. Consideration of Revision to Detention Center Organizational Chart – Mark Gallegos
- b. Discussion of Creating ICIP Committee and Appointment of two Commissioners to serve on ICIP Committee – Amber Hamilton
- c. Discussion of Scheduling a Public Hearing for the ICIP to encourage Citizen Participation and Discussion-Amber Hamilton
- d. Discussion of Commission's Option to Comment on 2016-2021 State Transportation Improvement Program-Amber Hamilton

8) Resolutions – Ordinances – Proclamations:

- a. Consideration of Resolution 2015-56 Amendment to Ordinance 2014-06 Loan Agreement between Roosevelt County and the New Mexico Finance Authority – Amber Hamilton

9) Contracts – Agreements – Procurements

10) Media Communication

11) Adjourn

**NEXT REGULAR COMMISSION MEETING --- Tuesday, Aug. 18, 2015 at 9:00 a.m. Roosevelt County Courthouse
County Commission Room**

This is to certify that a copy of this agenda was emailed to the Portales News Tribune, Rooneymoon Broadcasting, Zia Broadcasting, KENW, KBIM, KAMR, KFDA, KOBR, KVII and a copy was posted in the County Clerk's Office and on the Roosevelt County website www.rooseveltcounty.com on Friday, July 31, 2015 before 5 p.m.



Amber Hamilton, County Manager

STATE OF NEW MEXICO
ROOSEVELT COUNTY

I, DeAun Searl, the duly qualified and acting County Clerk of Roosevelt County, New Mexico (the "Governmental Unit"), do hereby certify:

1. The foregoing pages are a true, perfect, and complete copy of the record of the proceedings of the Board of Commissioners of Roosevelt County, New Mexico (the "Governing Body"), constituting the governing body of the Governmental Unit had and taken at a duly called regular meeting held at 109 W. First Street, in Portales, New Mexico, on August 4, 2015, at the hour of 9:00 a.m., insofar as the same relate to the execution and delivery of the proposed Amendment to Loan Agreement, a copy of which is set forth in the official records of the proceedings of the Governing Body kept in my office. None of the action taken has been rescinded, repealed, or modified.

2. Said proceedings were duly had and taken as therein shown, the meeting therein was duly held, and the persons therein named were present at said meeting, as therein shown.

3. Notice of said meeting was given in compliance with the permitted methods of giving notice of regular meetings of the Governing Body as required by the Governmental Unit's open meetings standards presently in effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of August, 2015.

ROOSEVELT COUNTY, NEW MEXICO

By: DeAun D Searl
DeAun Searl, County Clerk

