



## VILLAGE OF MAGDALENA

P.O. BOX 145 / 108 N. MAIN STREET  
MAGDALENA, NM 87825

P. 575.854.2261 F. 575.854.2273

[WWW.VILLAGEOFMAGDALENA.COM](http://WWW.VILLAGEOFMAGDALENA.COM)

### AGENDA

NOTICE OF REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES  
MONDAY, OCTOBER 14, 2024, AT 5:00 PM  
VILLAGE HALL 108 N. MAIN STREET

MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO AT THE  
FOLLOWING LINK:

<https://us06web.zoom.us/j/2848694212?pwd=MVE4QjdR2NQVFozQnZMbTlaRUtrQT09>

Meeting ID: 284 869 4212

Passcode: MAGDALENA

**\*PLEASE SILENCE ALL ELECTRONIC DEVICES\***

- 
1. CALL TO ORDER
  2. ROLL CALL
  3. PLEDGE OF ALLEGIANCE
  4. APPROVAL OF AGENDA
  5. APPROVAL OF MINUTES
    - a. REGULAR MEETING – SEPTEMBER 23, 2024
  6. APPROVAL OF CASH BALANCE REPORT
  7. APPROVAL OF BILLS
  8. MAYOR'S REPORT
  9. CLERK'S REPORT
  10. DEPARTMENT REPORTS
    - a. EMS
    - b. FIRE
    - c. MARSHAL
    - d. JUDGE
    - e. PUBLIC WORKS
    - f. LIBRARY
  11. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF THE LAW ENFORCEMENT RECRUITMENT & RETENTION STIPEND FUND APPROPRIATION #22-ZG1016-42-3 FOR FISCAL YEAR 2025
  12. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF THE RESOLUTION #2024-15, AUTHORIZING LEGISLATIVE APPROPRIATION FUNDING FOR HIRING OF NEW DEPUTY MARSHALS, PROVIDING RECRUITMENT & RETENTION STIPENDS AND REFERRAL FEES
  13. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF THE LAW ENFORCEMENT RECRUITMENT FUND APPROPRIATION #23-ZH5048-50-2 FOR FISCAL YEAR 2025

14. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF OUT-OF-STATE TRAINING & TRAVEL FOR FEDERALLY MANDATED LAW ENFORCEMENT POLICE FUND (LEPF) NARCOTICS TRAINING SEMINAR FOR MARSHAL MICHAEL ZAMORA & CAPTAIN BRIAN WATERMAN
15. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO DIRECT PUBLICATION OF ORDINANCE NO. 2024-01, AN ORDINANCE REPEALING ORDINANCE NO. 2015-05; MUNICIPAL COURT COSTS
16. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO DIRECT PUBLICATION OF ORDINANCE NO. 2024-02, AN ORDINANCE AMENDING ORDINANCE NO. 2018-03 THE PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF
17. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO DIRECT PUBLICATION OF ORDINANCE NO. 2024-03, AN ORDINANCE AMENDING PORTIONS OF ORDINANCE NO. 2018-05; REQUIRING DRIVER'S LICENSES BE PROVIDED IN PHYSICAL FORM; ADOPTING PROVISIONS CONCERNING AUTONOMOUS VEHICLES; PROVIDING ADDITIONAL DEFINITIONS; ESTABLISHING RESTRICTIONS ON LANE USAGE FOR TRUCK TRACTORS
18. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF RURAL LIBRARIES PROGRAM GRANT AGREEMENT FOR FISCAL YEAR 2025 FOR THE MAGDALENA PUBLIC LIBRARY IN THE AMOUNT OF \$15,363.84
19. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING ADVISORY COUNCIL BYLAWS AND OPERATING PROCEDURES PERTAINING TO THE MAGDALENA SENIOR CENTER
20. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF QUOTE FOR SELF-CONTAINED BREATHING APPARATUS (SCBA) PURCHASES FROM MES-MUNICIPAL EMERGENCY SERVICES IN THE AMOUNT OF \$66,104.00 FOR THE HOP CANYON FIRE DEPARTMENT
21. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF QUOTES FROM CHALMERS FORD & MHQ TO PURCHASE, EQUIP AND REPLACE THE CURRENT MAGDALENA FIRE COMMAND VEHICLE IN THE AMOUNT OF \$76,164.23
22. EXECUTIVE SESSION – THE FOLLOWING MATTERS WILL BE DISCUSSED IN CLOSED SESSION: MOTION & ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION AND THAT, PURSUANT TO NEW MEXICO STATE STATUTES SECTION 10-15-1, ONLY THE FOLLOWING MATTER WILL BE DISCUSSED IN CLOSED SESSION:
  - a. NMSA 10-15-1(H)(2) LIMITED PERSONNEL MATTERS
    - i. JOINT UTILITY WORKER
    - ii. SENIOR CENTER – COOK / SITE MANAGER
  - MOTION & ROLL CALL VOTE TO RETURN TO THE REGULAR SESSION
  - MOTION & ROLL CALL VOTE THAT MATTERS DISCUSSED IN CLOSED SESSION WERE LIMITED TO THOSE SPECIFIED IN MOTION FOR CLOSURE, AND THAT NO FINAL ACTION WAS TAKEN, AS PER NEW MEXICO STATUTES SECTION 10-15-1
23. DISCUSSION AND POSSIBLE DECISION REGARDING APPROVAL OF HIRING OF JOINT UTILITY WORKER
24. DISCUSSION AND POSSIBLE DECISION REGARDING APPROVAL TO POST MAGDALENA SENIOR CENTER – COOK/SITE MANAGER POSITION

**25. PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT**

**PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: [clerk@villageofmagdalena.com](mailto:clerk@villageofmagdalena.com) and/or [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com) THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, OCTOBER 14, 2024, AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES**

**26. ADJOURNMENT**

***NOTE: THIS AGENDA IS SUBJECT TO REVISION FOR UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT THE VILLAGE OFFICE, 108 N. MAIN STREET, MAGDALENA, NM 87825. PUBLIC DOCUMENTS, INCLUDING THE AGENDA AND MINUTES, CAN BE PROVIDED IN VARIOUS ACCESSIBLE FORMATS. PLEASE CONTACT THE VILLAGE CLERK/TREASURER IF A SUMMARY OR OTHER TYPE OF ACCESSIBLE FORMAT IS NEEDED. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE VILLAGE CLERK AT 575-854-2261 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.***

**DRAFT**

**MINUTES OF REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES  
MONDAY, SEPTEMBER 23, 2024, AT 5:00 PM  
VILLAGE HALL 108 N. MAIN STREET**

**MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO AT  
THE FOLLOWING LINK:**

<https://us02web.zoom.us/j/2848694212?pwd=MVE4QjdhR2NQVFozQnZMbTlaRUtrQT09>

**Meeting ID: 284 869 4212**

**Passcode: MAGDALENA**

**CALL TO ORDER:** Mayor Rumpf called the Regular Meeting to order at 5:00 p.m.

**PRESENT:** Mayor Richard Rumpf, Trustee James Nelson, Trustee Michael Thompson, Trustee Clark Brown, Juanita Puente-Clerk/Treasurer, Carleen Gomez–Deputy Clerk

**PARTICIPATING VIA ZOOM VIDEO CONFERENCE:** Trustee Donna Dawson, Finance Officer Michael Steininger, Jessican Carranza-Pino, Adrienne Mathewson

**ABSENT:** Attorney Randy VanVleck

**GUESTS:** Aime Thompson, Teri Winchester, Linda Montoya, Carol Brackman, Robert Aguilar, Alexandria Montgomery, Tony Montgomery

Carol Brackman led the gallery in reciting the Pledge of Allegiance.

**APPROVAL OF AGENDA:** Michael Thompson moved to approve the agenda, and Clark Brown seconded the motion. The motion carried unanimously.

**APPROVAL OF MINUTES**

- a. **REGULAR MEETING – SEPTEMBER 9, 2024:** James Nelson moved to approve the minutes, as presented and Michael Thompson seconded the motion. The motion carried unanimously.

**APPROVAL OF CASH BALANCE REPORT:** Michael Thompson moved to approve the Cash Balance Report, as presented and Clark Brown seconded the motion. The motion carried unanimously.

**APPROVAL OF BILLS:** Donna Dawson moved to approve the Bill List with the suggested additions and Michael Thompson seconded the motion. The motion carried unanimously.

**BILL LIST**

<b>AIR GAS</b>		<b>\$1,230.91</b>
<b>BRIAN WATERMAN</b>		<b>\$68.15</b>
<b>CONSULTANT PHARMACIST</b>		<b>\$430.50</b>
<b>CREATIVE PRODUCT SOURCE</b>		<b>\$266.34</b>
<b>GILBERT TORRES, JR.</b>		<b>\$1,050.00</b>
<b>GOLA’S KITCHEN</b>		<b>\$343.80</b>
<b>HIGH COUNTRY LODGE</b>		<b>\$499.90</b>

JOHN BROOKS SUPERMARKETS		\$675.73
HIGH PLAINS FIRE SERVICES		\$7,598.41
KANOPY INC		\$1,250.00
MAGDALENA MUNICIPAL SCHOOL		\$93.13
MICHAEL J ZAMORA		\$51.10
NM MUNICIPAL LEAGUE		\$1,050.00
NM SELF-INSURERS FUND		\$52,098.00
PVS DX INC		\$345.35
RAK'S BUILDING SUPPLY		\$704.65
REB MANAGEMENT		\$4,971.45
SOCORRO ELECTRIC COOP		\$4,366.19
THE RADAR SHOP, INC		\$674.00
UNITED TACTICAL SYSTEMS LLC		\$2,875.00
VEXUS FIBER		\$60.25
<b>TOTAL</b>		<b>\$80,702.86</b>

**MAYOR'S REPORT:** Mayor Rumpf reported that he had a meeting with the New Mexico Department of Transportation, they have put up two new flashing light speed signs on the east and west sides of town coming into Magdalena. It has stopped some of the speeders, but not all of them. He stated that NMDOT is also conducting a traffic study in this area.

**CLERK'S REPORT:** Clerk/Treasurer Juanita Puentes reported that the Village has a total of nine grants that she is currently working on, and she is also updating quarterly reports. She stated that the new system for this reporting is a bit easier to use. Clerk/Treasurer stated that we just received about \$23k in reimbursements.

**DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL AND ACCEPTANCE OF STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT CAPITAL APPROPRIATION PROJECT #SAP 24-I2461-GF GRANT AGREEMENT FOR \$370,000.00 TO PLAN, DESIGN, CONSTRUCT, EQUIP AND FURNISH THE TRUJILLO WELL COMPLETION – REVERSION DATE JUNE 30, 2028**

Mayor Rumpf reported that Bohannon-Huston Engineers requested extra money to finish the Trujillo Well. They are looking to start mid-October and are moving ahead, supplementing the current funding with over \$400k. He stated that the expected completion date will hopefully be no later than mid-November.

James Nelson moved to approve the Capital Appropriation Project SAP 24-I2461-GF Grant Agreement for \$370,000.00 and Clark Brown seconded the motion.

**DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2024-14, A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICER(S) AND AGENTS (S) FOR PROJECT #SAP 24-I2461-GF FOR TRUJILLO WELL COMPLETION**

James Nelson moved to approve Resolution No. 2024-14, a Resolution Authorizing the Assignment of Authorized Officer(s) and Agents(s) for Project #SAP 24-I2461-GF for the Trujillo Well Completion and Michael Thompson seconded the motion.

Mayor Rumpf requested a Roll Call Vote:

- Clark Brown – Aye
- Michael Thompson - Aye
- Donna Dawson - Aye
- James Nelson – Aye

The motion was carried out unanimously.

**DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF NOTICE OF AWARD TO TLC COMPANY, INC. FOR \$669,740.00 WITHOUT NMGRT FOR HELICOPTER PARKING AREA, ACCESS ROAD, AND FUTURE HANGAR GRADING**

Mayor Rumpf reported that this project has been in the works for a while for a 60'X90'ft hard surface for a helicopter landing, improvements to the road for ambulances including the grading of 10 acres along with 400k cubic yards of fill for future hangars. Donna Dawson asked if there was approval from the FAA for this project and Mayor stated that he would ask and possibly get a letter from them.

James Nelson moved to approve the Notice of Award to TLC Company, INC, and Clark Brown seconded the motion.

Mayor Rumpf requested a Roll Call Vote:

James Nelson– Aye

Michael Thompson - Aye

Donna Dawson - Aye

Clark Nelson – Aye

The motion was carried out unanimously.

**DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF QUOTE TO PURCHASE AND REPLACE THE MAGDALENA FIRE COMMAND VEHICLE**

Mayor Rumpf stated that the Fire Command vehicle has over 127,000 miles on it. He stated that he and the Marshal have agreed to cancel the next NMFA Loan for a Police Vehicle. Mayor Rumpf has spoken with the State Fire Marshal's office to get approval for MHQ to install lights and accessories which are under State Contract prices. He pointed out that the Magdalena Fire Department has enough fire funds, and they are required to be spent. He stated that the fire department can put the old vehicle out for bid minus the accessories, including decals, lights, radios, etc.

James Nelson moved to approve the replacement purchase of the new Fire Command vehicle, and Clark Brown moved to second the motion.

Mayor Rumpf requested a Roll Call Vote:

James Nelson– Aye

Michael Thompson - Nay

Donna Dawson - Nay

Clark Nelson – Aye

Mayor Rumpf stated that he will not break the tie being that he is also the Fire Chief even though there is a limit on age and mileage on the vehicles, the motion failed.

**PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT**

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Linda Montoya stated that she is glad the Fire Command vehicle didn't pass, because she is concerned how the fire command vehicle is being used, and he is here in it. Mayor Rumpf explained that when responding to an emergency call at any time he can respond more safely and in a decent amount of time.

Carol Brackman reported that she went to a Food Co-Op Conference in Michigan to get more information about running a Food Co-Op Market. She stated that there is an upcoming fund-raising Gala on October 18<sup>th</sup>. She stated that they have done a lot of clean up at the building and they've hired a grant writer and are looking for a General Manager.

Teri Winchester asked about the Police retention bonuses, because we are far enough into the fiscal year, and she hasn't seen the Resolution on the newest disbursement of the Law Enforcement Retention Funds and she would like to see a Resolution. She pointed out that the original Resolution states that on the 4<sup>th</sup>, 9<sup>th</sup>, 14<sup>th</sup> and 19<sup>th</sup> year anniversaries of employment were the times to pay out the LERF. Mrs. Winchester stated that she wants to know how much they are getting and the whole community needs to know as well. Mayor Rumpf replied that we are working on a Resolution.

**ADJOURNMENT:** Donna Dawson moved to adjourn the meeting at 5:41 pm, Clark Brown seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Juanita Puente  
Clerk/Treasurer

Richard Rumpf  
Mayor

## Carleen Gomez

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**From:** James Nelson <jcnelson@gilanet.com>  
**Sent:** Wednesday, October 9, 2024 6:14 PM  
**To:** Carleen Gomez  
**Subject:** Re: DEPARTMENT REPORTS DUE, EMS

### Nine EMS calls in September.

On 10/9/2024 4:58 PM, Carleen Gomez wrote:

This is just a reminder that your Department Reports for activity in September are due this Friday, before noon. If you have already submitted your report, please disregard this email. Let me know if you have any questions.

*Thank You,*

*Carleen Gomez, CMC*

Deputy Clerk  
Village of Magdalena  
Ph (575)854-2261  
[www.villageofmagdalena.com](http://www.villageofmagdalena.com)



**NOTICE:** The contents of this **email** message and any attachments are intended solely for the addressee(s) and may contain **confidential** and/or privileged information and may be legally protected from disclosure. New Mexico law requires government agencies to disclose to the public, upon request, most written communications, including those in electronic form. Persons communicating with Village officials or employees should expect that any communications could be released to the public and that this disclosure could include the email addresses of those communicating with Village officials or employees.



## Magdalena Marshal's Office

<b>Monthly Report</b>	<u>Month: SEPT</u>	<u>Year: 2024</u>
Marshal Zamora	ID#:Mag-1	
<b>Total Miles Driven:</b>		
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	1	25
TRAFFIC CITATIONS: <b>State Statutes</b>		
VERBAL WARNINGS ON SPEEDING	6	
ANIMAL CONTROL CITATIONS		
TRAFFIC ACCIDENTS		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS	1	
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS	2	
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE	2	
PUBLIC SERVICE	6	
NM STATE POLICE	1	
SHERIFF'S OFFICE	2	
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b><u>OTHER:</u></b>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests	1	
Misc. Cases	8	
<b><u>TOTALS:</u></b>	30	25

**MAGDALENA MARSHAL DEPARTMENT**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
 For the month of : SEPT Year: 2024

License Number: \_\_\_\_\_  
 Make and Model: FORD EXP 2021  
 Training & Maintenance on Units

Report due in NO LATER THAN THE 10th OF THE MONTH								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6								06 Lubrication
7								07 Miscellaneous
8								09 Tire Purchase
9	17405	17666	261	19.5	72.41			10 Tire Repair 15
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13								10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18								Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21								Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28								Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals			261	19.5	72.41			

I certify that the above is correct to the best of my knowledge.

**Signature:** \_\_\_\_\_ **Title:** MARSHAL

# Magdalena Marshal's Office

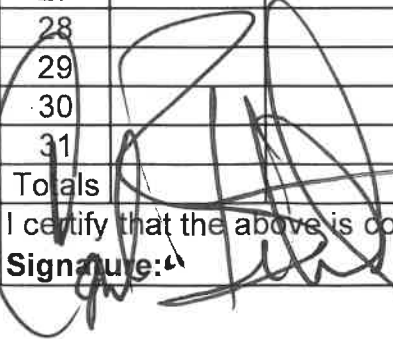
<b>Monthly Report</b>	<b>Month: SEPTEMBER 2024</b>	
	ID# Mag 2	Capt. Waterman
<b>Total Miles Driven:</b>	45	
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	0	\$0
TRAFFIC CITATIONS: <b>State Statutes</b>	2	204.00
CRIMINAL CITATIONS	0	
ANIMAL CONTROL CITATIONS	0	
TRAFFIC ACCIDENTS	0	
D.W.I. ARRESTS	0	
FELONY ARRESTS	0	
MISDEMEANOR ARRESTS	0	
12 HOUR HOLD ARREST	0	
CRIMINAL INVESTIGATIONS	0	
JUVENILE CASES	0	
DOMESTIC CASES	0	
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE		
PUBLIC SERVICE	0	
NM STATE POLICE		
SHERIFF'S OFFICE	0	
NM GAME & FISH	0	
NM LIVESTOCK BOARD	0	
US BORDER PATROL	0	
US FOREST SERVICE	0	
<b><u>OTHER:</u></b>		
ALARM CALLS	0	
FINGERPRINTING	0	
Driving Tests	0	
Misc. Cases		
VW/PR	1	
<b><u>TOTALS:</u></b>	<b>3</b>	<b>\$204</b>

**MAGDALENA MARSHAL DEPARTMENT**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
 For the month of : September Year: 2024

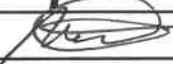
License Number: \_ 20975-G  
 Make and Model: \_ FORD F/150

Report due in NO LATER THAN THE 10th OF THE MONTH

Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1	7220	7362	142	15.35	63.4			01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6								06 Lubrication
7								07 Miscellaneous
8								09 Tire Purchase
9								10 Tire Repair
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$
13								10
14								Invoice No.: _____ Amt.\$
15								Date
16								Invoice No.: _____ Amt.\$
17								Code: ___ Date: _____
18								Invoice No.: _____ Amt.\$
19								Code: ___ Date: _____
20								Invoice No.: _____ Amt.\$
21								Code: ___ Date: _____
22								Invoice No.: _____ Amt.\$
23								Code: ___ Date: _____
24								Invoice No.: _____ Amt.\$
25								Code: ___ Date: _____
26								Invoice No.: _____ Amt.\$
27								Code: ___ Date: _____
28								Invoice No.: _____ Amt.\$
29								Code: ___ Date: _____
30								Invoice No.: _____ Amt.\$
31								
Totals			142	15.35	63.4			

I certify that the above is correct to the best of my knowledge.  
 Signature:  Title: CAPTAIN

# Magdalena Marshal's Office

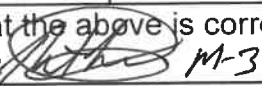
<b>Monthly Report</b>	<u>Month: Sept</u>	<u>Year: 2024</u>
Robert L. Felix Jr.  M-3	ID#:Mag-3	
<b>Total Miles Driven:</b>		
<b>GENERAL CALLS:</b>	<u>AMOUNT</u>	<u>REVENUE</u>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	12	
TRAFFIC CITATIONS: <b>State Statutes</b>	20	
TRAFFIC VERBAL WARNINGS	6	
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS	4	
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS		
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE / PROPERTY		
TRAFFIC ACCIDENTS		
<b>ASSISTANCE CALLS:</b>		
AMBULANCE/FIRE	2	
PUBLIC SERVICE		
NM STATE POLICE		
SHERIFF'S OFFICE		
NM FISH & GAME	1	
US BORDER PATROL		
US FOREST SERVICE		
<b>OTHER:</b>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests		
Misc. Cases	26	
<b>TOTALS:</b>	71	

**MAGDALENA MARSHAL DEPARTMENT**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
 For the month of : SEPT Year: 2024

License Number: \_\_\_\_\_  
 Make and Model: DODGE RAM

Report Due In NO LATER THAN THE 10th OF THE MONTH

Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1	26020	26110	90					01 Chassis Maintenance
2	26110	26187	77					02 Electrical Maintenance
3	26187	26262	75					03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6	26263	26363	100	22.41	76.17			06 Lubrication
7	26363	26504	141					07 Miscellaneous
8	26504	26634	130	22.32	75.86			09 Tire Purchase
9	26634	26723	89					10 Tire Repair 15
10	26723	26865	142	22.41	76.18			11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13	26865	26994	129					10
14	26994	27194	200	21.84	74.22			Invoice No.: _____ Amt.\$ _____
15	27194	27309	115					Date _____
16	27309	27363	54					Invoice No.: _____ Amt.\$ _____
17	27363	27502	139	23.62	80.27			Code: _____ Date: _____
18								Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20	27502	27597	95					Invoice No.: _____ Amt.\$ _____
21	27597	27746	149	22.32	75.85			Code: _____ Date: _____
22	27746	27945	199					Invoice No.: _____ Amt.\$ _____
23	27945	28116	171	22.55	76.66			Code: _____ Date: _____
24	28116	28252	136					Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27	28252	28353	101					Code: _____ Date: _____
28	28353	28463	110	22.98	78.12			Invoice No.: _____ Amt.\$ _____
29	28463	28629	166					Code: _____ Date: _____
30	28629	28784	155	22.64	72.41			Invoice No.: _____ Amt.\$ _____
31								
Totals			2,103	204.1	685.74			

I certify that the above is correct to the best of my knowledge.  
**Signature:**  **Title:** Deputy



## **JUDGE'S REPORT**

### **SEPTEMBER 2024**

The Magdalena Municipal Court continues to follow all required COVID guidelines set forth by the Supreme Court of the State of New Mexico. At this time, most court cases continue to be heard telephonically with some trials held in person.

#### **Cases heard in September 2024**

No cases were heard in September 2024.

No cases scheduled for 9-9-2024

Scheduling conflict all cases to be heard 9-23-2024 were rescheduled to 10-14-2024



# September 2024 Utilities Report

## Routine:

- Well rounds and screen cleaning. (4x per week)
- Picked up Village trash on Tuesdays and Fridays
- Checked residuals twice per week
- Took monthly water and wastewater samples
- Monthly Vehicle and equipment cleaning and fluid checks
- Meter reads and shut offs

## Non-Routine:

- Lay new water line for rodeo grounds water troughs
- Cut trees in allies
- Sewer repair on Ash
- Water main repair on s ash
- Repair broken water well
- Continue to identify water service lines for EPA
- Add new service line at 800 2<sup>nd</sup> street



Post on Village Website:

The 2024 Lead & Copper Survey is available for review at the Village Hall.

For the Oct 14<sup>th</sup> Council Meeting:

The 2024 Lead and Copper Survey results are available for review at Village Hall.

The customers that currently have an unknown status will have a letter informing them mailed out on October 15<sup>th</sup>.

The unknown status is due to the time constraint of reporting to the State. The Lead & Copper Survey is at 64%, with no lead found in the Village, and should be completed by the end of Spring 2025.

*You are receiving this letter because currently the service line material at your residence is unknown. The Village of Magdalena has been conducting a Lead and Copper Survey in accordance with the EPA requirement to insure the health and safety of our community. We have verified 303 out of 488 properties to date. We have found NO lead service lines in the village. We are continuing to verify the service lines in the community and expect to complete to 100% by the end of Spring 2025. A copy of the Lead and Copper report is located at the Village Hall.*

**Health effects of lead.** Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

## How can I reduce my exposure to Lead in water?

- 1. Let the water run** before using it for drinking or cooking. If you have a lead service line, let the water run for 3-5 minutes. If you do not have a lead service line, let the water run for 30-60 seconds. The more time water has been sitting in your pipes, the more lead it may contain.
  - Ways to let the water run before using it for drinking or cooking:
    - Do household tasks like showering or running the dishwasher first
    - Collect tap water for cleaning or watering plants
  - Make sure you let the water run from individual faucets for a short time before using them for drinking or cooking.
  - Consider keeping a container of drinking water in the refrigerator to reduce how often you need to let the water run.
- 2. Use cold water** for drinking, making food, and making baby formula. Hot water releases more lead from pipes than cold water. Boiling water does not reduce lead levels and may actually increase them.

3. **Test your water.** The only way to know if lead has been reduced by letting it run is to check with a test. If letting the water run does not reduce lead, consider other options to reduce your exposure.
4. **Treat your water** or find an alternative source if a test shows your water has high levels of lead after you let the water run. You can learn more about water treatment options at [Home Water Treatment](#).

*If you know what your service line material is, please contact the Village @ 575-854-2261.*

## Librarian's Report AUGUST 2024

<b>Days Open</b>	23	<b># of Volunteers</b>	6
<b>Days Closed</b>	0	<b>Volunteer Hours</b>	23
<b>Total Visitors</b>	351	<b>Museum Pass</b>	0
<b>Museum Visitors</b>	53	<b>New Library Cards</b>	4

### Events:

<b>Number of Events:</b>	2	<b>Attendance:</b>	32
--------------------------	---	--------------------	----

<b>Date:</b>		<b># of People:</b>	
8/3/2024	Jerry Thomson / Under the Pinon tree	25	A
8/29/2024	Book Club	7A	

### Circulation

PHYSICAL		DIGITAL	
# of Books	64	# of eBooks	53
# of Books on CD	8	# of Online Audio	101
# of DVDs	132		
<b>Total Physical</b>	<b>204</b>	<b>Total Digital</b>	<b>154</b>
<b>Total Circulation</b>	<b>358</b>		
ILL Processed	21 - 8 books, 13 articles		

### Computers/Wi-Fi

<b># Computer Sign ins</b>	21
<b>Total Unique Wi-Fi Devices</b>	97
<b>Avg. # Wi-Fi Devices per day</b>	22
<b>Avg. Data Usage per Device</b>	1.34GB

**Other:** 8/23/2024 and 8/24/2024 **Tree planting event in town with TreeNM.**

Submitted annual report in time! Finished 9:15am on 8.9.2024

MAINTENANCE ISSUES: same as before.

**Respectfully Submitted,  
Yvonne Magener,  
Library Director**

## Librarian's Report SEPTEMBER 2024

<b>Days Open</b>	19	<b># of Volunteers</b>	5
<b>Days Closed</b>	1 memorial day, closed 9/10	<b>Volunteer Hours</b>	17.5
<b>Total Visitors</b>	318	<b>Museum Pass</b>	0
<b>Museum Visitors</b>	36	<b>New Library Cards</b>	5

### Events:

Number of Events:	5	Attendance:	75 70 A & 5 K
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Date:		# of People:
9/5/2024	NM tree planting presentation	8 A
9/11/2024	Pre K Museum and Library	12 K and 4 A
9/26/2024	Book Club	8 A
9/25/2024	Positive Outcomes meeting	4A 1K
9/26/2024	Joe Sabatini: Albq. Indian School	38 A

### Circulation

PHYSICAL		DIGITAL	
# of Books	72	# of eBooks	53
# of Books on CD	8	# of Online Audio	101
# of DVDs	132		
<b>Total Physical</b>	<b>204</b>	<b>Total Digital</b>	<b>154</b>
<b>Total Circulation</b>	<b>358</b>		
ILL Processed	Articles 16 and Books 4		

### Computers/Wi-Fi

<b># Computer Sign ins</b>	15
<b>Total Unique Wi-Fi Devices</b>	104
<b>Avg. # Wi-Fi Devices per day</b>	21
<b>Avg. Data Usage per Device</b>	1.41 GB

### Other:

9/3/2024. Signed up with KANOPY Movie Streaming. Paid with GO BOND funds.

MAINTENANCE ISSUES: No change from previous reports.

**Respectfully Submitted,  
Yvonne Magener, Library Director**

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

RECIPIENT:

**Village of Magdalena**

<u>APPROPRIATION NUMBER:</u>	<u>TOTAL ALLOCATION AMOUNT:</u>	<u>REVERSION DATE:</u>
<b>22-ZG1016-42-3</b>	<b>\$281,250.00</b>	<b>June 30, 2025</b>

ALLOCATION PURPOSE

**Two hundred eighty-one thousand two hundred fifty dollars and zero cents over three years to be utilized for recruitment and retention stipends.**

ALLOCATION DISBURSEMENT

The remaining allocation amount, after receiving the first-year allocation in fiscal year 2023 and second-year allocation in fiscal year 2024, will be disbursed as follows. The third-year allocated funds will be disbursed up to \$56,250 in fiscal year 2025. The Allocation Recipient will submit to the Department of Finance & Administration this signed document and evidence of approval of the local governing body.

**Funds for the third disbursement must be expended by June 30, 2025. Any amount not expended in each of the remaining year will be returned to the State of New Mexico, Department of Finance and Administration in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.**

The Allocation Recipient agrees to submit quarterly reports using Exhibit A, Law Enforcement Report, providing updates on expenditures for recruitment and retentions stipends.

CERTIFICATION

I hereby certify that the **Village of Magdalena**

- Will only use the allocated funds to carry out and/or perform activities described in allocation language.
- Will follow the procedure described in "Allocation Reporting" of allocated funds.

<i>Michael Zamora, Marshal</i>	<u>9/9/2024</u>
<small>883618B732DA824</small> Local Law Enforcement Agency	Date

<i>Richard Rumpf, Mayor</i>	<u>9/9/2024</u>
<small>0BF330D29D6812A...</small> Authorized Local Governing Body Authority	Date

APPROVAL

In accordance with the authority conferred on the Department of Finance & Administration by the statute appropriating these funds, I hereby approve this certification for the third-year disbursement for appropriation number 22-ZG1016-42-3 in the amount of \$56,250.00.

<i>Jeanette Gallegos</i>	<u>9/9/2024</u>
<small>020E140B753A4C1...</small> Local Government Director	Date

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

**STATE OF NEW MEXICO  
Law Enforcement Recruitment & Retention Stipend Fund  
Quarterly Report Form Exhibit A**

<https://forms.office.com/g/jquEL1jztQ>

<b>Quarter Number:</b>	
<b>Allocation Recipient:</b>	
<b>Appropriation Number:</b>	22-ZG1016-??-3

<b>Date:</b>	
--------------	--

<b>Filled out by:</b>	
-----------------------	--

Detail Expenditure of Eligible Activities per Statue NMSA 1978, § 9-6-5.3 Recruitment and/or Retention Stipends: (Provide name, dates, position & Salaries of the individuals hired/retained)	Retention <small>If retention, add #1 for each officer:</small>	Total Stipend Amount <small>Retention:</small>	Recruitment <small>If it's a new hire, add #1 for each officer:</small>	Total Stipend Amount <small>Recruitment:</small>	Salary/Fringe Benefit Amount:

<b>Total Amount of Appropriation</b>	0 \$	-	0 \$	-	\$	-
<b>Totals</b>	0 \$	-	0 \$	-	\$	-

Narrative: (Provide a description of next steps to fill any remaining vacant positions or create new positions.)

- Recruitment and retention stipends may be distributed to:
- A. a person who is not certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient successfully obtains such certification;
  - B. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient remains employed with that agency for three months; and
  - C. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act currently employed by a law enforcement agency; provided that the law enforcement officer remains employed with that law enforcement officer's current agency for one additional year.



## **RESOLUTION No. 2024-15**

### **AUTHORIZING LEGISLATIVE APPROPRIATION FUNDING FOR HIRING OF NEW DEPUTY MARSHALS, PROVIDING FOR RECRUITMENT & RETENTION STIPENDS AND REFERRAL FEES**

**WHEREAS**, the Board of Trustees for the Village of Magdalena met upon notice of a duly published regular business meeting October 14, 2024, at 5:00 P.M. at Village Hall, 108 N. Main Street, Magdalena, New Mexico 87825, and,

**WHEREAS**, NMSA 1978, Section 3-18-1 (1972) provides that municipalities have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

**WHEREAS**, NMSA 1978, Section 3-17-1 *et seq.* (1990) provides that municipalities may adopt laws not inconsistent with the laws of New Mexico for the purpose of providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its inhabitants; and,

**WHEREAS**, Michael Zamora is the duly appointed Marshal of the Village of Magdalena with the authority to appoint and direct deputies pursuant to NMSA 1978, Section 4-41-5 (1975) to perform the duties of said office; and,

**WHEREAS**, NMSA 1978 Section 3-12-3 (A)(8) provides that municipal governing bodies prescribe the compensation and fees to be paid municipal officers and employees; and,

**WHEREAS**, NMSA 1978, Section 3-13-4 provides that any municipality may establish by ordinance a merit system for the hiring, promotion, discharge and general regulation of municipal employees; and,

**WHEREAS**, the Board has adopted a merit system ordinance, the Village of Magdalena Personnel Policy; and,

**WHEREAS**, Article IV, Section 27; [n]o law shall be enacted giving any extra compensation to any public officer, servant, agent or contractor after services are rendered or contract made; nor shall the compensation of any officer be increased or diminished during his term of office, except otherwise provided in this constitution; and,



**WHEREAS**, the NM Attorney General's Opinion dated June 4, 2004, explains that while retroactive "bonuses" are unconstitutional, the constitution does not preclude a public employer from considering its employees' past performance and years of service when deciding how to compensate them, as long as the employees are paid in return for future services; and,

**WHEREAS**, according to a 2020 survey by the National Police Foundation, 86% of departments reported a staffing shortage and the Magdalena Marshal's Office has experienced this shortage; and,

**WHEREAS**, the 52nd Legislature during the 2022 Regular Session passed HB 68, signed into law by the Governor, establishes the "law enforcement training and recruiting fund" and states that "the department of finance and administration shall establish a program to distribute funds for local law enforcement agencies to provide recruitment and retention stipends to law enforcement officers;" and,

**WHEREAS**, HB 68 provides that "[t]he program shall also establish appropriate guidelines on the use of those funds, including recruitment and retention stipends that may be distributed to:

A. a person who is not certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient successfully obtains such certification;

B. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient remains employed with that agency for three months; and

C. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act currently employed by a law enforcement agency; provided that the law enforcement officer remains employed with that law enforcement officer's current agency for one additional year;" and,

**WHEREAS**, the Village of Magdalena received Appropriation #22-ZG1016-42 in the amount of \$281,250.00 of which the final \$56,250 must be spent by June 30, 2025; and,

**WHEREAS**, Magdalena is a wonderful place to live, work and raise a family, and in recognition of that the Marshal and Board of Trustees believe an employee retention program will be a valuable tool in persuading current employees to remain members of the community and serve to the public; and

**WHEREAS**, this resolution is adopted to establish a program for the use of HB 68 Funding.

**NOW THEREFORE**, be it resolved by the Board of Trustees that the following is the Village of Magdalena's Law Enforcement Recruitment & Retaining Program subject to

compliance with Department of Finance Regulations:

**I. PAY RAISE**

Up to \$6.00 an hour to existing wages.

**II. RETENTION STIPEND.**

Any funds not expended pursuant to the above section by May 31, 2025, shall be authorized for retention stipends as follows.

- A. An amount, to be determined by the Marshal and this Board, will be authorized for each deputy who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act currently employed by the Marshal's Office, provided that the deputy remains employed with that the Marshal's Office for one additional year.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Board of Trustees that sections I and II of this program will end on June 30<sup>th</sup>, 2025.

This Resolution supersedes Resolution No. 2023-19.

**PASSED, APPROVED AND RESOLVED THIS 14<sup>th</sup> DAY OF OCTOBER, 2024.**

\_\_\_\_\_  
Richard Rumpf  
Mayor

Attested:

\_\_\_\_\_  
Juanita Puente  
Clerk/Treasurer

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

RECIPIENT:

**Village of Magdalena**

<u>APPROPRIATION NUMBER:</u>	<u>TOTAL ALLOCATION</u>	<u>REVERSION DATE:</u>
	<u>AMOUNT:</u>	
<b>23-ZH5048-50-2</b>	<b>\$262,500.00</b>	<b>June 30, 2025</b>

ALLOCATION PURPOSE

**Two Hundred and Sixty Two Thousand and Five Hundred Dollars and Zero Cents over three years to hire law enforcement/support positions.**

ALLOCATION DISBURSEMENT

The remaining allocation amount, after receiving the first-year allocation in fiscal year 2024, will be disbursed as follows: The second-year allocated funds will be disbursed up to \$75,000 in fiscal year 2025, and the third-year allocated funds will be disbursed up to \$37,500 in fiscal year 2026. The Allocation Recipient will submit to the Department of Finance & Administration this signed document.

**Funds for the second disbursement must be expended by June 30, 2025; and the last disbursement of 25% will be made in August 2025 to be expended by June 30, 2026. Any amount not expended in each of the two years will be returned to the State of New Mexico, Department of Finance and Administration in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.**

The Allocation Recipient agrees to submit quarterly reports using Exhibit A, Law Enforcement Recruitment Report, providing updates on the hiring of law enforcement/support positions.

CERTIFICATION

I hereby certify that the **Village of Magdalena**

- Will only use the allocated funds to carry out and/or perform activities described in allocation language.
- Will follow the procedure described in "Allocation Reporting" of allocated funds.

<i>Michael Zamora, Marshal</i>	10/9/2024
Local Law Enforcement Agency	Date
<i>Richard Rumpf, Mayor</i>	10/10/2024
Authorized Local Governing Body Authority	Date

APPROVAL

In accordance with the authority conferred on the Department of Finance & Administration by the statute appropriating these funds, I hereby approve this certification for appropriation number **23-ZH5048-50-2** in the amount of **\$75,000**.

<i>Jeannette Gallegos</i>	10/10/2024
Interim Director, Local Government Division	Date

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

**STATE OF NEW MEXICO  
Law Enforcement Recruitment Fund  
Quarterly Report Form  
Exhibit A**

<b>Allocation Recipient:</b>	
<b>Appropriation Number:</b>	

Provide names of individuals hired <u>and</u> their hire date:	Title of Position	Vacant Position Salary (YTD) :	New Position Salary (YTD):
<b>Total Amount of Appropriation Funds Expended this Quarter:</b>		<b>Total: \$</b>	<b>Total: \$</b>

Add extra lines as applicable.

<p><b>Narrative:</b> (Provide description of next steps to fill any remaining vacant positions. Examples: hiring event or outreach using social media.)</p>

Village of Magdalena  
PO Box 145  
Magdalena, NM 87825

**Vendor Information**

Company: Law Enforcement Seminars  
Address: 5435 N. Garland Ave, Ste 140-524  
Garland, TX 75040

Fax:

Federal Tax ID Number: #27-3362180

NM State Tax ID (CRS No.):

**Requisition Information**

Ship to: Village of Magdalena  
106 N main St. Magdalena, NM 87825  
Requestor: Marshal Michael Zamora

Requisition Date: 10-3-2024

Date Required: 11-2-2024

LEPF

Notes: Requisitions must be turned into the Treasurer's Office at least a week in advance for processing.

Quantity	Unit	Part Number	Description	Unit Price	Ext. Price	Tax	Freight
1			Federal Mandated Narcotics Investigation Training Seminar For Capt. Waterman	\$445.00			
1			Federal Mandated Narcotics Investigation Training Seminar For Chief Zamora Henderson PD NV 3-3-2024-3-4-2024	\$445.00			
			<b>SUBTOTAL</b>		<b>\$890.00</b>		
			<b>PURCHASE ORDER TOTAL</b>		<b>\$890.00</b>		

CIRCLE ONE:  
 CHECK  PURCHASE ORDER

Approval Signatures:

  
DEPARTMENT HEAD

  
MAYOR

For Business Office Use:  
Date Received: Requisition No.:  
Fund & Account: Purchase Order No.:

**Law Enforcement Seminars, LLC**

5435 N. Garland Ave. Ste. 140-529  
Garland, TX 75040  
FEDERAL TAX ID# 27-3362180

# INVOICE

Bill To:  
Brian Waterman  
Magdalena Marshal Police Department  
PO BOX145  
Magdalena , New Mexico 87825  
(505) 321-6249  
bwaterman@villageofmagdalena.com

Date:  
October 3, 2024  
Invoice #:  
2029242  
Payment Due:  
**November 2, 2024**

DESCRIPTION	PRICE
Registration for Narcotics Investigations   Henderson, Nevada - March 3-4, 2025	
Attendee: CAPTAIN Brian Waterman	\$445.00
Course Manual: NA	\$0.00
Attendee: CHIEF OF POLICE Michael Zamora	\$445.00
Course Manual: NA	\$0.00
<b>Total Amount Due:</b>	<b>\$890.00</b>

Thank you for enrolling in our seminar. The above information has been submitted to Law Enforcement Seminars LLC.  
**A copy of this invoice will be sent to the email address for your billing information.**

Make checks payable to:

Law Enforcement Seminars LLC  
5435 N. Garland Ave. Ste. 140-529  
Garland, TX 75040

Return with remittance to above address.

For questions regarding this invoice, call (214) 425-7757 or email us at [billing@lawenforcementseminars.com](mailto:billing@lawenforcementseminars.com).

**Law Enforcement Seminars LLC**  
5435 N Garland Ave Ste 140-529  
Garland, TX 75040  
+1 4694668161  
billing@lawenforcementseminars.com

# INVOICE

**BILL TO**

Magdalena Marshal Police  
Department  
PO BOX145  
Magdalena, New Mexico 87825

**INVOICE #** 2029242  
**DATE** 10/03/2024  
**DUE DATE** 11/02/2024  
**TERMS** Net 30

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ACTIVITY	QTY	RATE	AMOUNT
<b>Narcotics Investigations</b> Attendee: CAPTAIN Brian Waterman	1	445.00	445.00
<b>Narcotics Investigations</b> Attendee: CHIEF OF POLICE Michael Zamora	1	445.00	445.00

---

Class Information:  
Henderson, Nevada - March 3-4, 2025

**BALANCE DUE**

**\$890.00**

# Henderson, Nevada - March 3-4, 2025



*Federally  
mandated*

Law enforcement in the United States recognizes the drug-related overdose and death epidemic affecting every state in the country. Fentanyl, methamphetamine, cocaine, ecstasy, and combinations of these drugs supplied by illicit manufacturers have contributed to a surge of narcotic related offenses.

This course has been developed with the intent of providing law enforcement officers with problem-solving procedures that can assist agencies and organizations address the drug problems that impact their cities, counties, and states. As the drug epidemic continues to grow in intensity, police agencies will need to implement narcotics enforcement that identifies problems, selects and deploys personnel, and provides the procedural techniques needed to be successful. This course outlines the investigative methodology needed for drug enforcement.

This course is designed for patrol officers, narcotics officers, supervisors, and command personnel.

**Cost:**

\$445.00 per attendee

**Length of Course:**

8AM to 5PM, Day 1

8AM to Noon, Day 2

**Instructor:**

Jeff Garrett (<https://lawenforcementseminars.com/instructors/jeff-garrett>)

**Seminar Location:**

Henderson Police Department, North Area Command (Training Room 1)



# LAW ENFORCEMENT SEMINARS LLC SYLLABUS

## Course Title

Narcotics Investigations

## Length of Course

12 HOURS

## History and Purpose

Law enforcement in the United States recognizes the drug-related overdose and death epidemic affecting every state in the country. Fentanyl, methamphetamine, cocaine, ecstasy, and combinations of these drugs supplied by illicit manufacturers have contributed to a surge of narcotic related offenses.

This course has been developed with the intent of providing law enforcement officers with problem-solving procedures that can assist agencies and organizations address the drug problems that impact their cities, counties, and states. As the drug epidemic continues to grow in intensity, police agencies will need to implement narcotics enforcement that identifies problems, selects and deploys personnel, and provides the procedural techniques needed to be successful. This course outlines the investigative methodology needed for drug enforcement.

## Participants

This course is designed for patrol officers, narcotics officers, supervisors, and command personnel.

## COURSE COMPOSITION

## HOURS

1.1	Introduction and Course Overview	1.5
1.2	Problem Identification	1.0
1.3	Selection of Personnel	1.0
1.4	Investigative Techniques	5.0
1.5	Search and Arrest Warrants	1.5
1.6	Officer Safety & Supervision	1.0
1.7	Reports and Documentation / Summary	1.0

## **Course Goals**

Upon completion of this seminar, the participants will be able to:

- **Establish a narcotics unit based on needs and size of agency**
- **Safely investigate drug complaints & familiarize with current drug trends.**
- **Familiarize officers with investigative techniques to successfully combat and prosecute drug related offenses and problems.**

### **Class Title: Introduction and Course Overview**

**Learning Goal:** Instructors will describe goals and objectives, as well as student responsibilities. An overview of the course material will be presented. Students and instructors will self introduce.

**Performance Objectives:** Students will have an understanding of course content and topical areas.

### **Class Title: Problem Identification**

**Learning Goal:** Instructors will present the process of defining narcotics problems that student's agency may be experiencing. Key areas for identification will include locations where drug activity takes place as well as the types and sources of drugs present.

**Performance Objectives:** Students will be able to fully identify and define the narcotics problems present in their area.

### **Class Title: Selection of Personnel**

**Learning Goal:** Instructors will address various approaches for dealing with current narcotics problems and how to construct an effective team to handle these issues. Necessary and recommended training for personnel involved with these teams will be identified.

**Performance Objectives:** Students will understand how narcotics units are adaptable to each community's size and issues while recognizing the essential need for proper training for each member of the unit.

### **Class Title: Investigative Techniques**

**Learning Goal:** Instructors will provide in-depth training on various real-world techniques for investigating narcotics issues in their areas. Techniques including drug buys, trash pulls, confidential informants, undercover operations, and surveillance will be covered in detail.

**Performance Objectives:** Students will be able to properly and methodically implement investigative techniques.

**Class Title:** Search Warrants

**Learning Goal:** Instructors will present methodology for preparing search and arrest warrants. Execution of warrants will also be explained in detail.

**Performance Objectives:** Students will understand the process for preparing and executing search and arrest warrants.

**Class Title:** Officer Safety & Supervision

**Learning Goal:** Instructors will review the span of control within narcotics units and understand the importance of creating a written operation plan and holding briefings prior to taking any action.

**Performance Objectives:** Students will understand the paramount importance of preparation and communication to ensure the safety of all involved with drug investigations and prevention.

**Class Title:** Reports and Documentation / Summary

**Learning Goal:** Instructors will emphasize the importance of documenting investigative efforts. The instructor will provide students an opportunity for questions and answers of any previously covered material. Course evaluations will be completed, and certificates will be distributed.

**Performance Objectives:** Students will clarify any misunderstanding they may have from the course material. Students will also have an opportunity to evaluate the effectiveness of the program and instructional staff.

**VILLAGE OF MAGDALENA  
COUNTY OF SOCORRO  
STATE OF NEW MEXICO**

**NOTICE OF PUBLICATION AND ADOPTION OF  
ORDINANCE NO. 2024-01**

**THE VILLAGE OF MAGDALENA TO ALL INTERESTED PERSONS,**

**GREETINGS:**

**NOTICE IS HEREBY GIVEN** that an Ordinance proposed for adoption by the Governing Body of the Village of Magdalena is now pending before said Governing Body.

The title of said Ordinance No. 2024-01 is: “AN ORDINANCE REPEALING ORDINANCE NO. 2015-05; MUNICIPAL COURT COSTS”.

The purpose of the Ordinance is to repeal Municipal Court Costs to be collected upon conviction of certain criminal and traffic cases in Municipal Court. Said Ordinance will come for Public Hearing and Final Consideration by the Governing Body of the Village of Magdalena at its Regular Meeting held on November 12, 2024, at 5:00PM.

Any interested person upon request and payment of reasonable fee, may obtain copies of the proposed Ordinance from Village Hall during regular business hours.

Juanita Puente  
Clerk/Treasurer  
Village of Magdalena  
P.O. Box 145  
Magdalena, NM 87825  
Phone: (575)854-2261

Published in the El Defensor Chieftain on October 24, 2024



**ORDINANCE NO. 2024-01**  
**AN ORDINANCE REPEALING ORDINANCE NO. 2015-05; MUNICIPAL COURT COSTS**

**WHEREAS**, the Village of Magdalena passed Ordinance 2015-05 adopting Municipal Court Costs to be collected upon conviction of certain criminal and traffic cases in municipal court; and

**WHEREAS**, the New Mexico Legislature passes HB-139 as amended which is Laws 2023 Chapter 184 repealing all municipal court fees; and

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF MAGDALENA:

Section 1. **Repeal.** Ordinance No. 2015-05 is hereby repealed in its entirety.

**PASSED AND ADOPTED BY THE GOVERNING BODY OF THE VILLAGE OF MAGDALENA**  
**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024**

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**Richard Rumpf**  
**Mayor**

**ATTEST:**

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**Juanita Puente**  
**Clerk/Treasurer**

**VILLAGE OF MAGDALENA  
COUNTY OF SOCORRO  
STATE OF NEW MEXICO**

**NOTICE OF PUBLICATION AND ADOPTION OF  
ORDINANCE NO. 2024-02**

**THE VILLAGE OF MAGDALENA TO ALL INTERESTED PERSONS,**

**GREETINGS:**

**NOTICE IS HEREBY GIVEN** that an Ordinance proposed for adoption by the Governing Body of the Village of Magdalena is now pending before said Governing Body.

The title of said Ordinance No. 2024-02 is: “AN ORDINANCE AMENDING ORDINANCE 2018-03 THE PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF”.

The purpose of the Ordinance is to amend the Village of Magdalena Penalty Assessment Program Penalty Assessment Schedule for misdemeanors. Said Ordinance will come for Public Hearing and Final Consideration by the Governing Body of the Village of Magdalena at its Regular Meeting held on November 12, 2024, at 5:00PM.

Any interested person upon request and payment of reasonable fee, may obtain copies of the proposed Ordinance from Village Hall during regular business hours.

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**ORDINANCE NO. 2024-02**

**AN ORDINANCE AMENDING ORDINANCE 2018-03 THE PENALTY ASSESSMENT PROGRAM; DEFINING PENALTY ASSESSMENT MISDEMEANORS; ESTABLISHING LISTED SCHEDULE OF PENALTY ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF**

WHEREAS, the **Village of Magdalena** periodically does analysis on the penalty assessment **fees fines** for traffic violations; and

WHEREAS, the penalty assessment **fees fines** for traffic violations have not been updated since 2019; and

WHEREAS, the **Village of Magdalena** has determined a need to update the penalty assessment fines.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF MAGDALENA, NEW MEXICO:**

**SECTION 1.**

This Ordinance may be cited as the Village of Magdalena Penalty Assessment Program.

**SECTION 2.** Section 2 of the Village of Magdalena Penalty Assessment Program adopted by Ordinance 2018-03 be and is hereby amended as follows:

A. As used in the Uniform Traffic **Ordinance Code** adopted by the Village of Magdalena, New Mexico, "penalty assessment misdemeanor" means violation of the following listed sections of the Uniform Traffic **Ordinance Code**, for which the listed penalty assessment is established:

<b><u>COMMON NAME OF OFFENSE</u></b>	<b><u>SECTION VIOLATED</u></b>	<b><u>PENALTY ASSESSMENT</u></b>
PEDESTRIAN CONTROL SIGNALS	12-5-7	\$ <del>25.00</del> <b>75.00</b>
FLASHING SIGNALS	12-5-8	\$ <del>25.00</del> <b>75.00</b>
DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS	12-5-10	\$ <del>25.00</del> <b>75.00</b>
SPEED REGULATIONS	12-6-1	

(1) Up to and including ten miles an hour

over speed limit		<del>\$25.00</del> <u>75.00</u>
(2) From eleven up to and including fifteen miles an hour over speed limit		<del>\$30.00</del> <u>90.00</u>
(3) From sixteen up to and including twenty miles an hour over speed limit		<del>\$65.00</del> <u>155.00</u>
(4) From twenty-one up to and including twenty-five miles an hour over speed limit		<del>\$100.00</del> <u>190.00</u>
(5) From twenty-six up to and including thirty miles an hour over the speed limit		<del>\$125.00</del> <u>215.00</u>
(6) From thirty-one up to and including thirty-five miles an hour over the speed limit		<del>\$150.00</del> <u>240.00</u>
(7) More than thirty-five miles an hour over the speed limit		<del>\$200.00</del> <u>290.00</u>
MINIMUM SPEED REGULATIONS	12-6-1.5	<del>\$25.00</del> <u>75.00</u>
OVERTAKING A VEHICLE ON THE LEFT	12-6-2.3	<del>\$10.00</del> <u>40.00</u>
LIMITATIONS ON OVERTAKING ON THE LEFT	12-6-2.4	<del>\$10.00</del> <u>40.00</u>
NO PASSING ZONES & RESTRICTIONS ON PASSING	12-6-2.7	<del>\$25.00</del> <u>75.00</u>
FOLLOWING TOO CLOSELY	12-6-2.13	<del>\$25.00</del> <u>75.00</u>
DRIVING ON DIVIDED STREETS	12-6-2.14	<del>\$25.00</del> <u>75.00</u>
VEHICLE APPROACHING OR ENTERING INTERSECTION	12-6-4.1	<del>\$25.00</del> <u>75.00</u>
VEHICLES TURNING LEFT AT INTERSECTION	12-6-4.2	<del>\$25.00</del> <u>75.00</u>
VEHICLE ENTERING STOP OR YIELD INTERSECTION	12-6-4.3	<del>\$25.00</del> <u>75.00</u>
LIMITATIONS ON TURNING AROUND	12-6-5.5	<del>\$10.00</del> <u>40.00</u>
STARTING PARKED VEHICLE	12-6-5.7	<del>\$10.00</del> <u>40.00</u>
TURNING & STOPPING MOVEMENTS AND REQUIRED SIGNALS	12-6-5.8	<del>\$25.00</del> <u>75.00</u>
STOPPING, STANDING & PARKING	12-6-6	<del>\$25.00</del> <u>75.00</u>
SPECIAL STOPS REQUIRED	12-6-7	<del>\$25.00</del> <u>75.00</u>
STOPPING FOR SCHOOL BUS	12-6-7.3	<del>\$100.00</del> <u>190.00</u>
OPERATORS & CHAUFFEURS MUST BE LICENSED	12-6-12.5	<del>\$25.00</del> <u>75.00</u>
LIMITATIONS ON BACKING	12-6-12.9	<del>\$25.00</del> <u>75.00</u>
RESTRICTION ON USE OF VIDEO IN MOTOR VEHICLES	12-6-12.11	<del>\$25.00</del> <u>75.00</u>
COASTING PROHIBITED	12-6-12.12	<del>\$25.00</del> <u>75.00</u>
<u>CROSSING FIRE HOSE</u>	<u>12-6-12.14</u>	<u>\$75.00</u>



DESTRUCTIVE OR INJURIOUS MATERIAL ON ROADWAY	12-6-13.5	\$100.00 190.00
<b>OCCUPIED MOVING HOUSE TRAILER</b>	<b>12-6-13.9</b>	<b>100.00</b>
ANIMALS ON STREET	12-6-13.10	\$25.00 75.00
DRIVING ON MOUNTAIN STREETS	12-6-13.11	\$25.00 75.00
CHILD NOT IN RESTRAINT DEVICE OR SAFETY BELT	12-6-13.12	\$25.00 75.00
MANDATORY USE OF SEAT BELTS	12-6-13.13	\$25.00 50.00
POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS- FIRST OFFENSE	12-6-13.14	\$25.00 75.00
<b>SECOND OFFENSE</b>		<b>100.00</b>
LITTERING	12-6-13.15.	\$50.00 120.00
PEDESTRIAN VIOLATION	12-6-14.	\$25.00 75.00
PEDESTRIANS RIGHT-OF-WAY IN CROSSWALKS	12-6-14.2.	\$25.00 75.00
PEDESTRIANS TO USE RIGHT HALF OF SIDEWALK	12-6-14.3	\$25.00 75.00
CROSSING AT OTHER THAN CROSSWALKS	12-6-14.4	\$25.00 75.00
PEDESTRIANS ON STREETS	12-6-14.5	\$25.00 75.00
DRIVERS TO EXERCISE DUE CARE	12-6-14.8	\$25.00 75.00
DRIVING WHILE LICENSE ADMINISTRATIVELY SUSPENDED	12-6-12.6A	\$25.00 75.00
PARKING IN DESIGNATED DISABLED PARKING SPACES	12-9-9.	\$250.00-500.00
PROHIBITED ACTS	12-10-1.1	\$25.00 75.00
WHEN LIGHTED LAMPS ARE REQUIRED	12-10-1.3	\$25.00 75.00
HEADLAMPS ON VEHICLES	12-10-1.5	\$25.00 75.00
DIMMING OF LIGHTS	12-10-1.6	\$10.00 40.00
TAIL LAMPS	12-10-1.7	\$25.00 75.00
VEHICLES TO BE EQUIPPED WITH REFLECTORS	12-10-1.8	\$25.00 75.00
MUFFLERS, PREVENTION OF NOISE	12-10-1.10	\$10.00 40.00
LAMP OR FLAG ON PROJECTING LOAD	12-10-1.11	\$10.00 40.00
WINDSHIELD MUST BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS; WINDOWS MUST BE TRANSPARENT; EXCEPTIONS	12-10-1.12	\$25.00 75.00
SUN SCREENING MATERIALS ON WINDSHIELDS AND WINDOWS; REQUIREMENTS; VIOLATIONS PENALTY	12-10-1.12A	\$25.00 75.00
DISPLAY OF CURRENT VALID REGISTRATION PLATE	12-10-4	\$25.00 75.00

EVIDENCE OF REGISTRATION TO BE SIGNED AND EXHIBITED ON DEMAND	12-10-5	<del>\$10.00</del> 40.00
VEHICLE SUBJECT TO REGISTRATION	12-10-4	<del>\$50.00</del> 100.00
REQUIRED LANE TRAVEL FOR TRUCK TRACTORS	12-6-18	\$250.00

- B. The term "penalty assessment misdemeanor" does not include any violation which has caused or contributed to the cause of an accident resulting in injury or death to any person.
- C. When an alleged violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, no fine imposed upon later conviction shall exceed the penalty assessment established for the particular penalty assessment misdemeanor and no probation imposed upon a suspended or deferred sentence shall exceed ninety days.
- D. The penalty assessment for speeding in violation of Section 12-6-1.2 (4) of the Uniform Traffic Ordinance Code is twice the penalty assessment established in Subsection A of Section 2 of this ordinance for the equivalent miles per hour over the speed limit.
- ~~E. In addition to the penalty assessment established for each penalty assessment misdemeanor pursuant to this section, there shall be assessed the following fees for each penalty assessment misdemeanor: a twenty dollar (\$20) Corrections Fee; a six dollar (\$6) Court Automation Fee; and a three dollar (\$3) Judicial Education Fee.~~

**SECTION 3. PENALTY ASSESSMENT MISDEMEANORS; OPTION; EFFECT**

- A. Unless a warning notice is given, at the time of making an arrest for any penalty assessment misdemeanor, the arresting officer shall offer the alleged violator the option of accepting a penalty assessment. The violator's signature on the penalty assessment notice constitutes an acknowledgement of guilt of the offense stated in the notice, and payment of the prescribed penalty assessment is a complete satisfaction of the violation.
- B. Payment of any penalty assessment must be made by mail to the Municipal Court, Traffic Violations Bureau, Village of Magdalena New Mexico within thirty (30) days from the date of arrest. Payments of penalty assessments are timely if postmarked within the time limits set from the date of arrest. The Traffic Violations Bureau Municipal Court shall issue a receipt when a penalty assessment is paid by currency, but checks tendered by the violator upon which payment is received is sufficient receipt.
- C. No record of any penalty assessment payment is admissible as evidence in any court in any civil action.

**SECTION 4. FAILURE TO PAY PENALTY ASSESSMENT**

- A. If a penalty assessment is not paid within thirty (30) days from the date of arrest, the violator shall be prosecuted for the violation charged on the penalty assessment notice in a manner as if the penalty assessment notice had not been issued. Upon conviction in such prosecution, the court shall impose penalties as provided by the New Mexico Uniform Village of Magdalena Traffic Ordinance (Section 12-12-1.1), or other law relating to motor vehicles for the particular offense charged, and the scheduled penalty assessments shall not apply.

B. ~~In addition to the prosecution provided for in Section 4A, it is a misdemeanor for any person who has elected to pay a penalty assessment to failure to do so within \_\_\_\_\_ days from the date of arrest.~~

D. ~~The Office of the Municipal Court shall notify the Motor Vehicle Division of the State of New Mexico when a person fails to pay a penalty assessment within the required period of time. The Motor Vehicle Division shall report the notice upon the driver's record and shall not renew the person's license to drive until the Municipal Court notifies the Motor Vehicle Division that the penalty assessment, or its equivalent, as well as any additional penalties imposed are properly disposed of.~~

## **SECTION 5. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

## **SECTION 6. ORDINANCES REPEALED**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

## **SECTION 7. EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

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**Richard Rumpf**  
Mayor

**ATTEST:**

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**Juanita Puente**  
Clerk/Treasurer

*Revised 10/2024*

**VILLAGE OF MAGDALENA  
COUNTY OF SOCORRO  
STATE OF NEW MEXICO**

**NOTICE OF PUBLICATION AND ADOPTION OF  
ORDINANCE NO. 2024-03**

**THE VILLAGE OF MAGDALENA TO ALL INTERESTED PERSONS,**

**GREETINGS:**

**NOTICE IS HEREBY GIVEN** that an Ordinance proposed for adoption by the Governing Body of the Village of Magdalena is now pending before said Governing Body.

The title of said Ordinance No. 2024-03 is: “AN ORDINANCE AMENDING PORTIONS OF ORDINANCE NO. 2018-05; REQUIRING DRIVER’S LICENSES BE PROVIDED IN PHYSICAL FORM; ADOPTING PROVISIONS CONCERNING AUTONOMOUS VEHICLES; PROVIDING ADDITIONAL DEFINITIONS; ESTABLISHING RESTRICTIONS ON LANE USAGE FOR TRUCK TRACTORS”.

The purpose of the Ordinance is to amend certain portions of said Ordinance requiring Driver’s Licenses be provided in physical form, that immediate notice of an accident be communicated with police and add requirements for autonomous motor vehicle operation and travel for truck tractors. Said Ordinance will come for Public Hearing and Final Consideration by the Governing Body of the Village of Magdalena at its Regular Meeting held on November 12, 2024, at 5:00PM.

Any interested person upon request and payment of reasonable fee, may obtain copies of the proposed Ordinance from Village Hall during regular business hours.

Juanita Puente  
Clerk/Treasurer  
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**ORDINANCE NO. 2024-03**  
**AN ORDINANCE AMENDING PORTIONS OF ORDINANCE NO. 2018-05; REQUIRING DRIVER'S LICENSES BE PROVIDED IN PHYSICAL FORM; ADOPTING PROVISIONS CONCERNING AUTONOMOUS VEHICLES; PROVIDING ADDITIONAL DEFINITIONS; ESTABLISHING RESTRICTIONS ON LANE USAGE FOR TRUCK TRACTORS**

**WHEREAS**, the Village of Magdalena passed Ordinance 2018-05 adopting the Uniform Traffic Ordinance; and

**WHEREAS**, the New Mexico Legislature has made changes to the State Traffic Code affecting municipalities; and

**WHEREAS**, it is in the best interests of the Village of Magdalena to keep its traffic code consistent with the State Traffic Code.

**NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF MAGDALENA:**

Section 1. **Renaming.** The Uniform Traffic Ordinance as adopted by the Village of Magdalena in Ordinance 2008-05 is hereby re-named and rebranded as the Uniform Traffic Code.

Section 2. **Operators and Chauffeurs Must be Licensed.** Section 12-6-12.5 is and shall be amended as follows:

**12-6-12.5 OPERATORS AND CHAUFFEURS MUST BE LICENSED**

A. Except those expressly exempted by Section 66-5-4 NMSA 1978, no person shall drive any motor vehicle or moped upon a street in this municipality unless he holds a valid license issued under the provisions of the New Mexico Motor Vehicle Code.

B. Any person licensed under the provisions of the New Mexico Motor Vehicle Code, or expressly exempted from licensure, may exercise the privilege granted upon all streets and highways in this municipality. (66-5-2 NMSA 1978)

C. No person, whether a resident or non-resident of the State of New Mexico, shall operate a motor vehicle or moped upon a street in this municipality in violation of any restrictions with respect to the type of, or special mechanical devices required on, a motor vehicle which the licensee may operate or any other restrictions applicable to the licensee. (\*)

D. Every licensee shall have the licensee's driver's license **in its physical form** in the licensee's immediate possession at all times when operating a motor vehicle or moped, and shall display the license **in its physical form** upon demand of a magistrate or police officer or a field deputy or inspector of the division. A person who violates the provisions of this section is guilty of a penalty assessment misdemeanor; however, a person charged with violating this section shall not be convicted if the person produces in court a driver's license **in its physical form** issued to the person and valid at the time of the person's citation his arrest. (66-5-16 NMSA 1978)

Section 3. **Immediate Notice of Accidents.** Section 12-4-6 is and shall be amended as follows:

#### **12-4-6 IMMEDIATE NOTICE OF ACCIDENTS.**

A. The driver of a vehicle **the autonomous vehicle operator, or the autonomous commercial vehicle operator, if applicable,** involved in an accident resulting in injury to or death of any person, or property damage to an apparent extent of five hundred dollars (\$500) or more, shall immediately, by the quickest means of communication, give notice of such accident to the police department if the accident occurs within a municipality; otherwise to the office of the county sheriff or the nearest office of the New Mexico state police. **In the case of an autonomous motor vehicle or autonomous commercial motor vehicle operating without a human driver, the owner of that motor vehicle or person working on behalf of the vehicle owner shall be responsible for providing the notice required by this section.** (66-7-206 NMSA 1978)

Section 4. **Definitions.** Article I of the Uniform Traffic Code is and shall be amended as follows: NOTE: Revisions only shown in relevant part.

### **ARTICLE I DEFINITIONS**

**12-1-5.2 Automated Driving System**  
**12-1-5.3 Autonomous Commercial Motor Vehicle**  
**12-1-5.4 Autonomous Motor Vehicle**  
**12-1-5.5 Autonomous Motor Vehicle Operator**

**12-1-21.1 Driver Assisted Platoon**

**12-1-5.2 AUTOMATED DRIVING SYSTEM.** "Automated Driving System" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain; "automated driving system" is used specifically to describe a level three, four or five driving automation system as defined in society of automotive engineers standard J3016, as published in the Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles.

**12-1-5.3 AUTONOMOUS COMMERCIAL MOTOR VEHICLE.** "Autonomous Commercial Motor Vehicle" means a commercial motor vehicle, as defined in section 12-1-10.1 that is being controlled by an automated driving system.

**12-1-5.4 AUTONOMOUS MOTOR VEHICLE.** "Autonomous Motor Vehicle" means a motor vehicle that is being controlled by an automated driving system.

**12-1-5.5 AUTONOMOUS MOTOR VEHICLE OPERATOR** "Autonomous Motor Vehicle Operator" means the person who engages the automated driving system of an autonomous motor vehicle or autonomous commercial motor vehicle.

**12-1-21.1 DRIVER ASSISTED PLATOON.** "Driver-assisted platoon" means a series of motor vehicles platooning with a driver in each vehicle.

Section 5. **Following Too Closely.** Section 12-6-2.13 is and shall be amended as follows:

**12-6-2.13 FOLLOWING TOO CLOSELY**

A. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such the vehicles and the traffic upon and the condition of the highway.

B. The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a street outside of a business or residence district shall not follow another motor truck or motor vehicle drawing another vehicle within three hundred (300) feet, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

C. Motor vehicles being driven upon any street outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall not follow the preceding vehicle closer than three hundred (300) feet.

(1) this provision shall not apply to funeral processions, nor shall it apply within or outside of a business or residence district to motor vehicle escort vehicles of a motor vehicle escort service, which may, if necessary to maintain the continuity of the escorted unit or units, precede or follow at a distance closer than three hundred (300) feet to the escorted unit or units; or

(2) a vehicle that is part of a driver-assisted platoon and that is not the lead motor vehicle. (66-7-318 NMSA 1978)

Section 6. **NEW MATERIAL: MULTIPLE LANE ROADWAYS-REQUIRED LANE TRAVEL FOR TRUCK TRACTORS** A new section 12-6-18 is hereby adopted as follows:

**12-6-18 MULTIPLE LANE ROADWAYS-REQUIRED LANE TRAVEL FOR TRUCK TRACTORS**



- A. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following requirements, in addition to all consistent requirements within this code, shall apply:
- (1) a truck tractor shall be driven as nearly as practicable entirely within a single lane;
  - (2) a truck tractor shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and then given a signal, not less than the last 100 feet traveled by the truck tractor, of the driver's intention to change lanes;
  - (3) upon a roadway that is divided into three lanes, each truck tractor shall not be driven in the center lane except:
    - (a) When overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance;
    - (b) in preparation for a left turn; or
    - (c) where the center lane is at the time allocated exclusively to traffic moving in the direction the truck tractor is proceeding and is signposted to give notice of the allocation;
  - (4) a truck tractor shall not be driven in the left lane of a roadway except when overtaking and passing another vehicle; provided, however, that this paragraph shall not prohibit driving in the left lane when traffic conditions, flow or road configuration, such as the potential of merging traffic, require the use of the left lane to maintain safe traffic conditions; and provided further that this paragraph shall not prohibit driving in the left lane of a roadway within the city limits of a municipality or upon a county road so long as such roadway is not part of the national system of interstate and defense highways; and
  - (5) official signs may be erected directing slow moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign.
- B. A two-way left-turn lane is a lane near the center of the highway set aside for use by vehicles making left turns in both directions from or into the roadway. Two-way left-turn lanes shall be designated by distinctive roadway markings consisting of parallel double yellow lines, interior line dashed and exterior line solid, on each side of the lane. A vehicle shall not be driven in a designated two-way left-turn lane except when preparing for or making a left turn from or into a roadway. Vehicles turning left

from the roadway shall not be driven in the two-way left-turn lane for more than 200 feet while preparing for and making the turn. A vehicle turning left onto the roadway may utilize the two-way left-turn lane as a staging area by stopping and waiting for traffic proceeding in the same direction to clear before merging into the adjacent lanes of travel. A left turn shall not be made from any other lane where a tow-lane left-turn lane has been designated; provided however, that this section shall not prohibit driving across the two-way left turn-lane when moving from a service drive on to such marked roadway. (66-7-376 NMSA 1978)

**PASSED AND ADOPTED BY THE GOVERNING BODY OF THE VILLAGE OF MAGDALENA  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024**

\_\_\_\_\_  
**Richard Rumpf**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Juanita Puente**  
**Clerk/Treasurer**

**Rural Libraries Program Grant Agreement**  
**For FY25**

This Agreement is entered into on the date of last signature, below, by and between the **New Mexico State Library**, hereinafter called **NMSL**, and **Magdalena Public Library**, located in **Magdalena, NM**, hereinafter called the **Recipient**.

WHEREAS, pursuant to NMSA 1978, Section 18-2-4, the State Librarian, the division director of NMSL, is required to administer grants-in-aid and encourage local library service and generally promote an effective statewide library system and promulgate rules and regulations necessary to administer the library division as provided by law and to perform other duties as provided by law; and

WHEREAS, NMSA 1978, Section 18-18-1 establishes the rural libraries endowment fund in the state treasury to support the preservation, development and establishment of rural libraries throughout the state by providing funding for rural libraries' operational and capital needs, and where NMSA 1978, Section 18-18-3 establishes the rural libraries program fund, which consists of distributions from the rural libraries endowment fund that are designated for the rural libraries grant program; and

WHEREAS, NMSA 1978, Section 18-18-2 creates the rural libraries grant program and requires the State Librarian to provide grants directly benefitting developing rural libraries and established rural libraries; and

WHEREAS, Recipient provides free basic library services to the public as a governmental or tribal governmental entity, or Recipient provides free basic library services to the public on the same terms as public libraries that are governmental entities as a non-profit corporation organized under Section 501(c) of the Internal Revenue Code;

WHEREAS, the State Librarian has adopted such rules for distributing Rural Libraries Program Grants to public libraries, codified as 4.5.10 NMAC; and

WHEREAS, NMSL has determined that Recipient meets the definition of a rural library and qualifies for a Rural Libraries Program Grant under NMSA 1978, Section 18-18-4 and 4.5.10 NMAC.

THEREFORE, the Parties agree to the following terms and conditions:

- I. NMSL agrees to pay the Recipient a grant in an amount not to exceed **\$ 15,363.84** (~~Fifteen Thousand Three Hundred Sixty Three Dollars and Eighty Four Cents~~) to be used for the preservation, development or establishment of Recipient's rural library services, including library collections; library staff salaries; library staff professional development; library equipment; or other operational and capital expenditures associated with delivery of basic library services at rural libraries in accordance with 4.5.10 NMAC.

II. The Recipient agrees to:

1. Use the grant only for the preservation, development or establishment of rural library services, including library collections; library staff salaries; library staff professional development; library equipment; or other operational and capital expenditures associated with the delivery of basic library services at rural libraries in accordance with 4.5.10 NMAC;
2. Continue to comply with 4.5.10 NMAC and all other laws, statutes, and rules applicable to developing libraries or public libraries, including Article IX, Section 14 of the Constitution of the State of New Mexico, "Anti-Donation Clause;"
3. Engage in good communication and the exchange of information with NMSL regarding library activities and the grant's use;
4. Expend the grant according to the rules outlined in 4.5.10 NMAC, attached hereto as Attachment A;
5. Expend *all* grant funds before June 30, 2025;
6. No later than August 10, 2025, provide NMSL with a report on how the grant was expended as part of the Recipient's annual report for the fiscal year; and
7. Sign and return this Agreement to NMSL *within 60* days from receipt of the Agreement, which shall be calculated from the date of postmark or electronic postmark. **If Recipient does not submit this Agreement within the required time period, Recipient forfeits the grant allocation.**

III. If the parties dispute the terms of this Agreement, the Recipient and NMSL hereby agree to first attempt to resolve the dispute by meeting and talking through the issues. If the parties are unable to independently and satisfactorily resolve any disagreement, then both parties consent to New Mexico state court jurisdiction to address the dispute and the exclusive venue shall be in the City and County of Santa Fe. Nothing contained herein shall be interpreted as constituting a waiver of the sovereign or governmental immunity of the Recipient, if applicable, or of the State of New Mexico.

IV. This Agreement shall be governed by and construed in accordance with the laws of New Mexico. If any provision herein is held invalid, void, or unenforceable under any law or regulation or by a court of competent jurisdiction, such provision will be deemed amended in a manner which renders it valid, or if it cannot be so amended, it will be deemed to be deleted.

V. Termination for Lack of Appropriations. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by NMSL to the Recipient. NMSL's decision as to whether sufficient appropriations are available shall be accepted by the Recipient and shall be final.

The Recipient by its signature below certifies that the Recipient will use the grant money only for the uses specified in this Agreement and will comply with all other applicable requirements of this Agreement.

**Recipient Signature**

Signed:  Date: 10/8/2024  
0389B3270DB94E5...

X My signature above verifies that I am an authorized agent who has authority to enter into a legal contract with the State of New Mexico.

**Print Name and Title:** Juanita Puente Clerk/Treasurer , Authorized Agent of Recipient

**NMSL Signature**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Print Name and Title:** Eli Guinee, New Mexico State Librarian, Authorized Agent of NMSL

# NEW MEXICO STATE LIBRARY

1209 Camino Carlos Rey • Santa Fe, NM 87507

## FY25 RURAL LIBRARIES PROGRAM GRANT ALLOCATION NOTIFICATION

1.	<b>Recipient Name</b>	Magdalena Public Library
2.	<b>Remit to Name and Address</b>	Village of Magdalena, Magdalena Public Library PO Box 145 Magdalena, NM 87825
3.	<b>State of NM Vendor #</b>	54348
4.	<b>Project Title and Legal and Fiscal Data</b>	Rural Libraries Program Grant Statute/Administrative Code NMSA 1978 Section 18-2-4, 4.5.10 NMAC
5.	<b>State Library Contact</b>	Carmelita Aragon New Mexico State Library Carmelita.Aragon@dca.nm.gov
6.	<b>Source of Funding</b>	<i>Rural Libraries Endowment Grant Funds - General Appropriation Act of 2025</i>
7.	<b>Total Grant Amount</b>	\$ 15,363.84
8.	<b>Allocation Period</b>	Fiscal Year 2025 <b><i>ALL RURAL LIBRARIES PROGRAM GRANT FUNDS MUST BE SPENT BY JUNE 30, 2025.</i></b>
9.	<b>Terms and Conditions of Allocation</b>	Rural libraries program grant funds <i>may be used</i> for: <ol style="list-style-type: none"> <li>1) library collections;</li> <li>2) library staff salaries;</li> <li>3) library staff professional development;</li> <li>4) library equipment;</li> <li>5) other operational expenditures associated with delivery of library services; and/or</li> <li>6) capital improvements associated with delivery of library services.</li> </ol> <p>Recipients must report how all FY25 Rural Libraries Program Grant funds were spent in the FY25 Annual Report.</p>
10.	<b>Date</b>	October 7, 2024

## FY25 Rural Libraries Program Grant Checklist & Instructions

Documents attached to this email	What to do with it
<b>RLP Grant Allocation Notification</b>	<ul style="list-style-type: none"> <li>- Check that all information is correct.</li> <li>- <b><i>SAVE</i></b> and/or <b><i>PRINT</i></b> a copy for your records.</li> </ul>
<b>FY25 RLP Grant Agreement</b>	<ul style="list-style-type: none"> <li>- A person who has authority to enter into a legal contract with the State of New Mexico must electronically sign the FY25 RLP Grant Agreement via DocuSign.</li> <li>- If you, the Library Director are not authorized to electronically sign the grant agreement, please use the <i>Assign to Someone Else</i> feature within DocuSign to send to the authorized person.</li> <li>- <i>Grant agreements</i> must be electronically signed via DocuSign by <b>December 9, 2024</b>.</li> </ul>
<b>4.5.2 New Mexico Administrative Code (NMAC)</b> & <b>4.5.10 New Mexico Administrative Code (NMAC)</b>	<ul style="list-style-type: none"> <li>- <b><i>SAVE</i></b> and/or <b><i>PRINT</i></b> copies for your records.</li> <li>- Ensure compliance with all requirements this year, to remain eligible for funding in FY26.</li> </ul>
<b>RLP Grant Expenditures Guidance Sheet</b>	<ul style="list-style-type: none"> <li>- <b><i>SAVE</i></b> and/or <b><i>PRINT</i></b> a copy for your records.</li> <li>- Refer to this document for how rural library funds can be spent – Note: this is not an exhaustive list; contact the Development Bureau with any questions.</li> <li>- Provide a copy to your finance department and any other individuals that are involved with purchases for the library.</li> </ul>
<b>RLP Expenditures Tracking Spreadsheet</b> – <i>This will arrive in a separate email labeled as such</i>	<ul style="list-style-type: none"> <li>- When received, <b><i>SAVE</i></b> the spreadsheet, and use to track/maintain accurate records for FY25 RLP Grant expenditures.</li> <li>- This spreadsheet <i>is required and must</i> be completed and returned (<i>in Excel format</i>) to the Development Bureau by June 30, 2025.</li> </ul>

**What Happens Next?**

- The State Librarian will electronically sign the grant agreement via DocuSign and a complete copy will be sent from DocuSign via email to the Library Director.
- Once the grant agreement is fully executed, a request for payment will be made.
- The library or its fiscal agent will receive a check *or* ACH payment.
- **Spend *ALL*** FY25 RLP Grant funds in compliance with the 4.5.10 NMAC ***by June 30, 2025.***
- Questions? Email: [Carmelita.Aragon@dca.nm.gov](mailto:Carmelita.Aragon@dca.nm.gov)



*Administrative code is subject to change. Please always check for the most up-to-date version online.*

## STATE GRANTS-IN-AID TO PUBLIC LIBRARIES

### TITLE 4 CULTURAL RESOURCES

#### CHAPTER 5 STATE LIBRARY

#### PART 2 STATE GRANTS IN AID TO PUBLIC LIBRARIES

**4.5.2.1 ISSUING AGENCY:** Department of Cultural Affairs, New Mexico State Library Division.

[4.5.2.1 NMAC - Rp, 4.5.2.1 NMAC, 6/1/2016]

**4.5.2.2 SCOPE:** Public libraries and developing public libraries.

[4.5.2.2 NMAC - Rp, 4.5.2.2 NMAC, 6/1/2016]

**4.5.2.3 STATUTORY AUTHORITY:** Subsection I of Section 18-2-4 NMSA 1978 directs the state librarian to make rules and regulations necessary to administer the division and as provided by law. Subsection B of Section 18-2-4 NMSA 1978 directs the state librarian to administer grants-in-aid and encourage local library services and generally promote an effective statewide library system.

[4.5.2.3 NMAC - Rp, 4.5.2.3 NMAC, 6/1/2016]

**4.5.2.4 DURATION:** Permanent.

[4.5.2.4 NMAC - Rp, 4.5.2.4 NMAC, 6/1/2016]

**4.5.2.5 EFFECTIVE DATE:** June 1, 2016 unless a later date is cited at the end of a section.

[4.5.2.5 NMAC - Rp, 4.5.2.5 NMAC, 6/1/2016]

**4.5.2.6 OBJECTIVE:** The objective of this rule is to describe the state grants in aid to public libraries program (hereinafter “the state aid program”) and to establish criteria for reviewing and awarding the grants. The purpose of the state aid program is to provide financial assistance that encourages and supports public library service by public libraries and developing public libraries. The state aid program is intended to supplement and encourage local effort in providing local library service. The state aid program consists of developing library grants and public library grants that may be used for: library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of library services.

[4.5.2.6 NMAC - Rp, 4.5.2.6 NMAC, 6/1/2016]

#### 4.5.2.7 DEFINITIONS:

**A. “Annual report”** means a report sent once a year from a public library or developing library to the state library. An annual report shall at least accomplish the following tasks:

- (1) provide information in the time, manner, and form prescribed by the state library;
- (2) describe prior fiscal year’s activities, including income, expenditures, statistics on collections and services, and compliance with state aid program criteria;
- (3) be certified by the library as to the accuracy, completeness, and truthfulness of the information provided; and

- (4) be approved by and on file at the state library.

**B. “Basic library services”** means free services provided in a library’s legal service area, including library collections with circulating materials; reference services; a catalog of library holdings accessible by the public; educational programs; interlibrary loan services; public access computers connected to the internet; and internet connectivity for patrons and staff. Basic library service may include any technology or service that relates to the access to information for patron use.

**C. “Bookmobile”** means a mobile branch that offers basic library services with the exception of computers and internet connectivity.

**D. “Branch”** means an auxiliary service administered by a public or developing library that provides the following public services:

- (1) separate quarters from the main library;
- (2) a permanent library collection and reference services;
- (3) offers basic library services;
- (4) staff present during open hours; and
- (5) at least 20 hours of public access to physical quarters per week on an annual basis.

- E. “Circulating materials”** means items from library collections that are checked out by patrons for use outside of the library.
- F. “Collection development policy”** means guidelines used by library staff for making decisions about the budget for and selection, management, and preservation of library collections.
- G. “Community analysis and needs assessment”** means an evaluation of a library’s legal service area, its current and future needs, and the library’s role in meeting those needs.
- H. “Developing library”** means a New Mexico organization that has initiated and is progressively implementing basic library services within its legal service area.
- (1) A developing library is established through one of the following mechanisms:
    - (a) through an ordinance or legal resolution of a subdivision of state government;
    - (b) by a contract between a private entity and a subdivision of state government;
    - (c) by an Indian nation; or
    - (d) as a non-profit corporation.
  - (2) A developing library provides the following public services:
    - (a) staff present during open hours;
    - (b) at least 15 hours of public access to physical quarters per week on an annual basis;
    - (c) at least two days of public access to physical quarters per week on an annual basis; and
    - (d) hours of operation posted on or near the library.
- I. “Fiscal year”** means July 1 through June 30.
- J. “Legal service area”** means the geographic area for which a library has been established to offer services and from which, or on behalf of which, the library derives income. The legal service area may be defined by a written agreement with a political subdivision of the state for which the library is the primary service provider. The most recent United States or tribal census determines the population of the legal service area if the population figures are given separately for that area. If the census does not report a discreet population figure for the legal service area, then the state library in its sole discretion shall determine the population for the library’s legal service area.
- K. “Library board”** means an administrative or advisory group comprised of representative members of the library’s community.
- L. “Library collections”** means library items for public use. Library collections may include such items as books, videos, sound recordings, licensed databases, and equipment. A portion of the collections must be circulating materials.
- M. “Library equipment”** means equipment associated with the delivery of library services.
- N. “Library staff”** means salaried employees or volunteers whose time is regularly dedicated to delivery of library services.
- O. “Matching funds”** means the amount expended in a fiscal year for library collections from any source other than the state. Sources for matching funds may include municipal funds, county funds, tribal funds, or money acquired through donations, fund-raising, or grants. In-kind contributions are not matching funds. Matching funds do not include funds used for operating costs, administrative costs, or regular staff salaries.
- P. “Public library”** means a New Mexico organization that offers basic library services within its legal service area.
- (1) A public library is established through one of the following mechanisms:
    - (a) through an ordinance or legal resolution adopted by a subdivision of state government;
    - (b) by a contract between a private entity and a subdivision of state government;
    - (c) by an Indian nation; or
    - (d) as a non-profit corporation.
  - (2) A public library provides the following public services:
    - (a) staff dedicated to the library
    - (b) year-round public access to the physical location at least 25 hours per week;
    - (c) at least two days of public access to physical quarters per week on an annual basis; and
    - (d) hours of operation posted on or near the library.
- Q. “Reference services”** means the provision of library staff to answer reference questions during all the hours the library is open.
- R. “Strategic plan”** means a detailed program to ensure that library services meet the current and future needs of the library’s legal service area. The strategic plan shall include a vision and mission statement as well as goals and objectives, and it shall cover a period of at least the next three years and not exceed five years.

[4.5.2.7 NMAC - Rp, 4.5.2.7 NMAC, 6/1/2016]

**4.5.2.8 DEVELOPING LIBRARY GRANT:**

**A. Purpose:** To supplement an eligible developing library's budget for up to five years until it meets the minimum requirements for a public library grant.

**B. Description:** The developing library grant funds shall be used for library collections, library staff salaries, library staff training, library equipment, or other operational expenditures associated with delivery of basic library services.

**C. Criteria for reviewing and awarding developing library grants:** The state library shall award developing library grants to developing libraries that meet or exceed the following criteria.

(1) timely submission of an annual report with the state library;  
 (2) receipt of no more than five, consecutive, awards of developing library grants;  
 (3) continuous operation for at least nine months;  
 (4) demonstration of receipt of financial support from sources other than the state. In particular, matching funds in relation to the population of the library's legal service shall be at least \$0.25 per person in its first year and any non-consecutive years of developing library grant application participation; \$0.50 per person in its second consecutive year; \$0.75 per person in its third consecutive year; \$1.00 per person in its fourth consecutive year; and \$1.25 per person in its fifth consecutive year;

(5) maintenance of adequate financial and other records to support the library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;

(6) compliance with all state statutes and rules;  
 (7) compliance with requirements for developing library grants;  
 (8) employment of a designated director;  
 (9) creation of a library board that meets at least two times a year and adheres to the state's open meetings law; and  
 (10) successful expenditure of all developing library grant funds during the prior fiscal year, if applicable.

[4.5.2.8 NMAC - Rp, 4.5.2.8 NMAC, 6/1/2016]

**4.5.2.9 PUBLIC LIBRARY GRANT:**

**A. Purpose:** To supplement eligible public libraries' budgets.

**B. Description:** The public library grant funds shall be used for library collections, library staff salaries, library staff training, library equipment, or other operational expenditures associated with delivery of basic library services.

**C. Criteria for reviewing and awarding public library grants:** The state library shall review and award public library grants to public libraries that have met the following criteria:

(1) timely submission of an annual report with the state library for the current year and a minimum of two years prior;

(2) continuous operation for at least one year;  
 (3) receipt of a minimum of three consecutive developing library grants;  
 (4) demonstration of receipt of financial support from sources other than the state; in particular, matching funds in relation to the population of the library's legal service area shall be at least \$1.50 per person;

(5) maintenance of adequate financial and other records to support the public library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;

(6) compliance with all state statutes and rules;  
 (7) compliance with all requirements for public library grants;  
 (8) Formation of a strategic plan that the public library reviews, updates, and files with the state library every three years, and a community analysis and needs assessment, and a collection development policy that the public library reviews, updates, and files with the state library every five years;

(9) maintain a library board that meets at least two times a year and adheres to the state open meetings law;

(10) employment of a designated director; and

(11) successful expenditure of all public library grant funds during the prior fiscal year.

[4.5.2.9 NMAC - Rp, 4.5.2.9 NMAC, 6/1/2016]

**4.5.2.10 DISTRIBUTION OF FUNDS:** The library division shall distribute state grants in aid in the following manner:

**A. Application:** The annual report submitted for the immediate prior year shall serve as the developing or public library's application for state grants-in-aid.

**B. Allocation:** For state grants-in-aid, the state library shall award at least a quarter of a share (0.25) of the annual allocation to developing libraries, one (1) share of the allocation to each public library, and one half (.50) of a share of the allocation to each branch and bookmobile.

**C. Notification:** Following the end of the application period, the state library shall calculate the grant award for each library. The state library shall notify all eligible public libraries informing them of the amount of their grant.

**D. Request for payment:** Each library shall return the signed grant agreement to the state library within 60 days of receipt of the agreement measured from the postmark or electronic postmark. Upon timely receipt of the grant agreement, the state library shall process a payment request form. If a library does not submit the grant agreement within the required time period, it forfeits the grant award.

**E. Maintenance of effort:** A library's local budget shall not be reduced by its governing body as a result of eligibility for the state aid program. Upon demonstrated evidence that such a reduction has occurred, the library shall be ineligible to receive funds from the library grants award for one year after the reduction has occurred.

[4.5.2.10 NMAC - Rp, 4.5.2.11 NMAC, 6/1/2016]

**4.5.2.11 LIMITATION ON FUNDS:**

**A.** The grant amounts may vary by year, depending on the amount of the appropriation to the state library by the state legislature and the state library's other budgeted expenses.

**B.** Libraries shall not use grant funds for administrative or indirect expenses such as budgeting, accounting, financial management, information systems, data processing, and legal services

**C.** Public and developing libraries shall expend all grant funds during the fiscal year in which they are awarded.

**D.** Should a library cease providing basic library services prior to or within thirty days of funding; grant funds shall revert to the state library.

[4.5.2.11 NMAC - Rp, 4.5.2.12 NMAC, 6/1/2016]

**4.5.2.12 APPEAL OR VARIANCE:**

**A.** In the event that any library is denied a grant by the state library or does not meet a requirement of this rule, that library may appeal the decision of the state library or request a variance from the requirement.

**B.** Such appeal or variance shall be made in writing to the state librarian within 10 days of notification of denial of funds or within 10 days of discovery of non-compliance with a requirement. The appeal or variance shall state all relevant facts and conditions.

**C.** The state librarian shall consider each appeal or request for variance and respond in writing to the appealing or requesting party with a decision within 30 days. The state librarian's decision is the department of cultural affairs' final action on the matter.

[4.5.2.12 NMAC - Rp, 4.5.2.14 NMAC, 6/1/2016]

#### **HISTORY OF 4.5.2 NMAC:**

##### **Pre-NMAC History:**

NMSL 67-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised April 19, 1967, filed 5/3/67.

NMSL 67-2, State Grants-In-Aid To Public Libraries, Rules and Regulations, Amended August 28, 1967, filed 8/30/67.

NMSL 68-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Amended August 28, 1967, filed 12/19/68.

NMSL 69-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised May 26, 1969, filed 6/20/69.

NMSL 69-2, State Grants-In-Aid To Public Libraries, Rules and Regulations; Revised September 16, 1969, filed 10/9/69.

NMSL 70-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised February 26, 1970, filed 4/27/70.

NMSL 73-4, State Grants-In-Aid To Public Libraries, Rules and Regulations, June 1973, filed 7/10/73.

NMSL 74-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, July 19, 1974, filed 8/16/74.

NMSL 75-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, 1975, filed 6/9/75.

NMSL 76-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, March 31, 1976, filed 4/27/76.

NMSL 77-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, January 21, 1977, filed 2/4/77.

NMSL Rule 79-1B, State Grants-In-Aid To Public Libraries, Rules and Regulations, June 11, 1979, filed 6/25/79.

NMSL 79-3, State Grants-In-Aid To Public Libraries, Rules and Regulations, July 1, 1979, filed 7/27/79.

NMSL 81-2, State Grants-In-Aid To Public Libraries, Rules and Regulations, May 11, 1981, filed 5/12/81.

NMSL 89-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, filed 10/23/89.

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, filed 1/28/93.

**History of Repealed Material:**

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations (filed 1/28/93), repealed 7/1/2000.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 6/19/2000), repealed 7/1/2009.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 7/1/2009), repealed 6/1/2016.

**Other History:**

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations (filed 1/28/93) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 7/1/2000.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 6/19/2000) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 7/1/2009.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 7/1/2009) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 6/1/2016.

**TITLE 4            CULTURAL RESOURCES**  
**CHAPTER 5        STATE LIBRARY**  
**PART 10           RURAL LIBRARIES ENDOWMENT GRANTS**

**4.5.10.1            ISSUING AGENCY:** Cultural Affairs Department - State Library Division.  
 [4.5.10.1 NMAC - N, 1/1/2023]

**4.5.10.2            SCOPE:** Rural established public and tribal libraries, rural developing public and tribal libraries, and rural public and tribal libraries to be established.  
 [4.5.10.2 NMAC - N, 1/1/2023]

**4.5.10.3            STATUTORY AUTHORITY:** Section 18-18-1, NMSA 1978 (2019) establishes the rural libraries endowment fund established in the state treasury to support the preservation, development and establishment of rural libraries throughout the state by providing funding for rural libraries' operational and capital needs and funding for the delivery of specialized services to rural libraries. Subsection A of Section 18-18-2, NMSA 1978 directs the state librarian to provide grants directly benefiting developing rural libraries and established rural libraries and grants for the establishment of developing rural libraries in cities, towns and villages without libraries. Section 18-18-2 further directs the state librarian to use money allocated for specialized services to rural libraries from the rural libraries endowment fund to provide specialized services to rural libraries. Subsection D of Section 18-18-4, NMSA 1978 (2019) defines specialized services as professional development opportunities, program support, information technology support and other capacity building services, as defined by the state librarian.  
 [4.5.10.3 NMAC - N, 1/1/2023]

**4.5.10.4            DURATION:** Permanent.  
 [4.5.10.4 NMAC - N, 1/1/2023]

**4.5.10.5            EFFECTIVE DATE:** January 1, 2023, unless a later date is cited at the end of a section.  
 [4.5.10.5 NMAC - N, 1/1/2023]

**4.5.10.6            OBJECTIVE:** The objective of this rule is to carry out the provisions of the rural library endowment grant programs. The rural library endowment grant programs shall assist in the establishment of libraries in rural cities, towns and villages without libraries and provide financial assistance to established and developing rural libraries, for the purpose of creating effective local libraries, and promoting collaborative rural library services amongst rural libraries.  
 [4.5.10.6 NMAC - N, 1/1/2023]

**4.5.10.7            DEFINITIONS:**

- A.            "Annual report"** has the same meaning as in 4.5.2 NMAC.
- B.            "Basic library services"** has the same meaning as in 4.5.2 NMAC.
- C.            "Developing rural library"** has the same meaning as in Section 18-18-4, NMSA 1978 (2019).
- D.            "Established rural library"** has the same meaning as in Section 18-18-4, NMSA 1978 (2019).
- E.            "Fiscal year"** means July 1 through June 30.
- F.            "Grant recipient"** means a public library or developing library that the state librarian selects to receive a rural library program grant.
- G.            "Local funding authority"** has the same meaning as in 4.5.8 NMAC
- H.            "Public library"** has the same meaning as in 4.5.2 NMAC
- I.            "Rural library"** has the same meaning as in Section 18-18-4, NMSA 1978 (2019).
- J.            "Rural libraries program grant"** means grants directly benefiting developing rural libraries and established rural libraries. Rural library program grants include grants for developing and established rural libraries and grants for establishing rural libraries. Rural library program grants for the establishment of a developing rural library are grants given to a local funding authority, Indian Nation or non profit corporation in order to assist in the establishment of a developing rural library.
- K.            "Specialized services"** means professional development opportunities, program support, information technology support and other capacity-building services, as defined by the state librarian.

**L. “Specialized Services Allocation”** means rural endowment funds allocated for the purpose of professional development opportunities, program support, information technology support and other capacity-building services, as defined by the state librarian.  
[4.5.10.7 NMAC - N, 1/1/2023]

**4.5.10.8 GRANT AVAILABILITY:** Funds are available annually in the form of grants directly benefiting developing rural libraries, established rural libraries and grants for the establishment of developing rural libraries in cities, towns and villages without libraries.  
[4.5.10.8 NMAC - N, 1/1/2023]

**4.5.10.9 FUNDING SOURCE:** Rural library program grants and specialized services program grants for rural libraries shall be funded from the rural library endowment fund in accordance with Section 18-18-1 NMSA 1978.  
[4.5.10.9 NMAC - N, 1/1/2023]

**4.5.10.10 RURAL LIBRARIES ENDOWMENT FUND**

**A. PURPOSE:** The rural library endowment fund is for the purpose of preservation, development and establishment of rural libraries’ operational and capital needs.

**B. DESCRIPTION.** The rural library program grant funds shall be used for library collections, library staff salaries, library staff training, library equipment, or other operational or capital expenditures associated with delivery of basic library services to rural libraries. Specialized services program funds shall be used for the delivery of specialized services to rural libraries.  
[4.5.10.10 NMAC - N, 1/1/2023]

**4.5.10.11 LIMITATION ON FUNDING.**

**A.** Grant amounts may vary by year and are dependent upon the amount of the gross distribution to the state library. The annual gross distribution is determined in accordance with the provisions of Subsection C of Section 18-18-1, NMSA 1978 (2019).

**B.** Public and developing libraries shall expend all grant funds during the fiscal year in which they are awarded.

**C.** Should a library cease providing basic library services prior to or within thirty days of funding; grant funds shall revert to the state library and be re-allocated to other rural libraries.  
[4.5.10.11 NMAC - N, 1/1/2023]

**4.5.10.12 GRANTS FOR ESTABLISHING DEVELOPING RURAL LIBRARIES:** If sufficient funding is available to offer grants to establish developing rural libraries, the state librarian shall issue an official grant for establishing developing rural libraries announcement and a rural libraries program grant announcement and provide grant guidelines.

**A. PURPOSE.** Grants for establishing developing rural libraries are grants to assist in the establishment of public or tribal rural libraries in cities, towns and villages without libraries.

**B. GUIDELINES.:** The grant guidelines for establishing rural developing libraries shall be established by the state librarian and include the following considerations:

- (1) Description of the grants for establishing developing rural libraries grant program;
- (2) Eligibility factors for the Program;
- (3) Grant application for interested applicants;
- (4) Grant Application deadlines;
- (5) Applicable rules and regulations; and
- (6) Selection criteria for grant award recipients.

**C. SELECTION:** A committee made up of five members selected by the state librarian shall award grants for the establishment of developing rural libraries based on the selection criteria specified in the grant guidelines.  
[4.5.10.12 NMAC - N, 1/1/2023]

**4.5.10.13 GRANTS FOR DEVELOPING RURAL LIBRARIES AND ESTABLISHED RURAL LIBRARIES:** Grants for developing rural libraries and established rural libraries under the rural libraries grant program shall be those grants awarded pursuant to Subsection A of Section 18-18-2 NMSA 1978. When sufficient

funding is available, as determined by the state librarian, to offer rural library program grants under this section, the state librarian shall issue an official rural library program grant announcement and provide the grant guidelines.

**A. CRITERIA FOR AWARDING GRANTS FOR DEVELOPING LIBRARIES UNDER THE RURAL LIBRARY GRANT PROGRAM:** Receipt of a rural libraries program grant under this section shall not exclude eligibility for an award under the state grants in aid grant program established in 4.5.2 NMAC. The state library shall award developing rural libraries a grant where the developing rural library has met, or exceeded, the following criteria:

- (1) timely submission of an annual report to the state library;
- (2) continuous operation for at least nine months;
- (3) maintenance of adequate financial and other records to support the library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;
- (4) compliance with all state statutes and rules;
- (5) compliance with requirements for developing rural library grants;
- (6) employment of a designated director;
- (7) creation of a library board that meets at least two times a year and adheres to the state's open meetings law;
- (8) successful expenditure of all developing rural library grant funds during the prior fiscal year, if applicable.

**B. CRITERIA FOR AWARDING GRANTS TO ESTABLISHED RURAL LIBRARIES UNDER THE RURAL LIBRARY GRANT PROGRAM.** Receipt of a rural libraries grant under this section shall not exclude eligibility for an award under the state grants in aid grant program established in 4.5.2 NMAC. The state library shall award established rural libraries a rural library program grant where an established rural library has met, or exceeded, the following criteria:

- (1) timely submission of an annual report with the state library for the current year and a minimum of two years prior;
- (2) continuous operation for at least one year;
- (3) receipt of a minimum of three consecutive developing rural library grants;
- (4) demonstration of receipt of financial support from sources other than the state; in particular, matching funds in relation to the population of the library's legal service area shall be at least \$1.50 per person;
- (5) maintenance of adequate financial and other records to support the library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;
- (6) compliance with all state statutes and rules;
- (7) compliance with requirements for library grants for established rural libraries;
- (8) formation of a strategic plan that the public library reviews, updates, and files with the state library every five years, and a community analysis and needs assessment, and a collection development policy that the public library reviews, updates, and files with the state library every five years;
- (9) maintain a library board that meets at least two times a year and adheres to the state open meetings law;
- (10) employment of a designated director;
- (11) successful expenditure of all public library grant funds during the prior fiscal year.

**C. DISTRIBUTION OF FUNDS:** The state library division shall distribute grants in the following manner:

- (1) **Application:** The annual report submitted for the immediate prior year shall serve as the developing or established public library's application.
- (2) **Allocation:** The state library shall award one share of the allocation to each established rural library and each developing rural library.
- (3) **Notification:** After annual reports are submitted, the state library shall calculate the grant award for each library in accordance with paragraph (2) above. The state library shall notify all eligible public libraries informing them of the amount of their grant.
- (4) **Request for payment:** Each library shall return the signed grant agreement to the state library within 60 days of receipt of the agreement measured from the postmark or electronic postmark. Upon timely receipt of the grant agreement, the state library shall process a payment request form. If a library does not submit the grant agreement within the required time period, it forfeits the grant award.



(5) Maintenance of effort: A grant recipient's local government funding sources shall not be reduced as a result of the grant recipient's receipt of a rural library program grant or funding for specialized services. Upon demonstrated evidence that such a reduction has occurred, the grant recipient shall be ineligible to receive a rural library program grant or funding for specialized services for one year after the reduction occurs.  
[4.5.10.13 NMAC - N, 1/1/2023]

**4.5.10.14 AGREEMENT:** Rural library program grants shall only transfer to the grant recipient after the grant recipient executes an agreement containing the terms required of award recipients.  
[4.5.10.14 NMAC - N, 1/1/2023]

**4.5.10.15 REPORTING:**

**A.** Recipients of a grant for establishing a developing rural library under the rural library grant program shall report expenditures as requested by the state librarian and/or required under the recipients contractual agreement.

**B.** Recipients of a rural libraries program grant shall ensure that received funds are accounted for separately from other state funds on the annual report and in accordance with the recipient's agreement.  
[4.5.10.15 NMAC - N, 1/1/2023]

**4.5.10.16 APPEAL OR WAIVER:**

**A.** In the event that any library is denied a grant by the state library, or does not meet a requirement of this rule, that library may appeal the decision of the state library or request a variance from the requirement.

**B.** Such appeal or variance shall be made in writing to the state librarian within 10 days of notification of denial of funds or within 10 days of discovery of non-compliance with a requirement. The appeal or variance shall state all relevant facts and conditions.

**C.** The state librarian shall consider each appeal or request for variance and respond in writing to the appealing or requesting party with a decision within 30 days. The state librarian shall consider the recommendation of the Commission for matters on appeal. The state librarian's decision is the department of cultural affairs' final action on the matter.

[4.5.10.16 NMAC - N, 1/1/2023]

**HISTORY OF 4.5.10 NMAC: [RESERVED]**

## Rural Libraries Program Grant Expenditures Guidance Sheet

NMSA 1978, Sections 18-18-1 through -4 and Section 4.5.10 of the New Mexico Administrative Code (NMAC) govern Rural Libraries Program (RLP) Grants for establishing libraries. To receive an RLP Establishing Libraries Grant, recipients must meet all eligibility requirements as outlined in the 4.5.10 NMAC. *All* RLP grants funds received must be expended or encumbered during the fiscal year in which they are given (i.e., before June 30 each year).

This informational guidance sheet is not an exhaustive list of all allowable and non-allowable expenditures. If there are questions as how to expend RLP grant funds, contact the Library Development Bureau for clarification *prior* to making purchases, 1-800-340-3890/SL.Development@dca.nm.gov.

**Allowable Purchases** – RLP grant funds **may** be used for recipients' operational and capital needs:

- Library Collections
  - Items traditionally available at the library and intended for public use, such as books, e-books, audiobooks, DVDs, CDs, electronic and digital media, licensed databases (e.g., ancestry.com, mango languages), etc. Non-traditional circulating/educational programming items may also be allowable. Contact the Development Bureau for more information, *prior* to making such purchases.
- Library Staff Salaries
  - RLP grant funds can be used to pay regular library staff salaries and benefits for their work within the library. Paying a part-time/substitute library staff member/summer intern may also be allowable.
- Library Staff Professional Development
  - Registration for in-person or online training, travel (including meals & lodging) for attending in-state (e.g., NMLA) *and* out-of-state library conferences (e.g., ALA, MPLA, PLA, ARSL), and trainings/workshops provided to library staff on library related services/issues, which are organized and held at the library, or held at another location, e.g., state library or other library, etc.
- Library Equipment and Furnishings
  - Items associated with meeting the information needs of library patron's such as library furniture, public computers, printers, wireless routers, scanners, software, and related peripherals, etc. RLP grant funds may also be used for staff furniture, computers, software, and related peripherals, etc. necessary to support library operations.
- Other Operational Expenditures Associated with Delivery of Library Services
  - Expenditures associated with the delivery of library services, such as the library's catalog, library programming supplies, utility bills, phone bills, directional signage, office supplies, security costs, contracts directly related to the delivery of library services to patrons, including for rental equipment such as copiers or printers, educational program subject matter experts, etc.
  - Contracts and fees related to library operations such as for budget preparation, accounting, financial management, information systems, data processing, legal services, etc.
- Capital Improvements and Construction
  - RLP grant funds may be used for capital improvements, repairs, and construction, which are associated with the delivery of basic library services, and which may be funded within the fiscal year (ending June 30) that the RLP Grant is received.

**Non-Allowable Purchases** - RLP grant funds **may not** be used for:

- Indirect costs, and/or deducting a percentage of the grant for administrative or grant management expenses or fees.
- Food, giveaways/incentives/prizes, college classes for library staff (i.e., tuition reimbursement), library decorations, recreational rentals/purchases (e.g., bouncy houses, party supplies, pony rentals), etc.
- Any expenditures that do **not** directly relate to meeting the information needs of library patron's or aren't associated with the delivery of library services and library operations, including the cost of parties, receptions, fund-raising events, or other social functions.

**NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT  
NON-METRO AREA AGENCY ON AGING ADVISORY COUNCIL  
BYLAWS AND OPERATING PROCEDURES**

**PREAMBLE**

The Non-Metro Area Agency on Aging Advisory Council has been established in accordance with the rules and regulations of the Federal Register for Area Agencies on Aging (AAA). The North Central New Mexico Economic and Development District (NCNMEDD) has been designated the AAA for Planning and Service Areas (PSA) 2, 3, and 4. Planning and Service Area 2 includes the 13 counties of: Cibola, Colfax, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Miguel, Santa Fe, San Juan, Taos, Torrance, and Valencia. Planning and Service Area 3 includes the 11 counties of: Chaves, Curry, De Baca, Eddy, Guadalupe, Harding, Lea, Lincoln, Quay, Roosevelt, and Union. Planning and Service Area 4 includes the 8 counties of: Catron, Dona Ana, Grant, Hidalgo, Luna, Otero, Sierra, and Socorro. The Board of Directors of the NCNMEDD shall make all final decisions in matters of policy and programming, upon recommendations of the Non-Metro Area Agency on Aging Advisory Council.

**1. ARTICLE I – PURPOSE, POWER AND SCOPE**

The name of the organization shall be Non-Metro Area Agency on Aging Advisory Council, hereinafter referred to as the Council.

The central office of the Council shall be in Santa Fe, New Mexico, at the office of the NCNMEDD, 644 Don Gaspar, Santa Fe, NM 87505.

**1.1. PURPOSE AND SCOPE**

The purpose of the council shall be:

- To assist in identifying the needs and problems of individuals age 60+ and people with disabilities in PSA 2, 3, and 4, and to assist the AAA Director in establishing goals and objectives.
- To assist in identifying resources available for meeting these needs and to determine priorities.
- To establish working relationships with other state and local agencies in the area for coordinating and pooling of resources.
- To advise in the administration, planning, development, and implementation of programs for individuals age 60+ and people with disabilities.

- To assume an advocacy role for individuals age 60+ and people with disabilities in PSA 2, 3, and 4.
- To assist in conducting public hearings and to service providers.
- To review and comment on policies, programs and actions which affect individuals 60+ and people with disabilities.
- To review and comment on proposals submitted for funding; (area plans, capital outlay, etc.)
- To assist in developing strategies to reach isolated individuals age 60+ and people with disabilities.
- To testify or make presentations at local and state legislative hearings or meetings.
- To assist individuals age 60+ and people with disabilities in obtaining direct services available in the community.
- To assist in recruitment of volunteers.
- To make oral or written reports to the Council.

## **2. ARTICLE II – MEMBERS**

**2.1 SECTION I.** The Council shall consist of thirty two (32) regular members and/or their alternates at least eighteen (18) members must be 60 years of age or older and shall include individuals age 60+ and people with disabilities with the greatest economic or social need; participants/representatives of programs administered under the area plan; local elected officials or their designated representatives and the general public.

### **2.2 SECTION II. The members will be selected as follows:**

**2.2.1 Regular Membership.** The Non-Metro Area Agency on Aging will name one (1) person from each county from nominations or applications received from interested individuals submitting a brief resume, letter of interest and letters of support from local government entities, senior program(s) Directors and/or Directors of social service organizations.

**2.2.2 Alternate Membership.** The Non-Metro Area Agency on Aging will name one (1) person from each county from nominations or applications received from interested individuals submitting a brief resume, letter of interest and letters of support from local government entities, senior program(s) Directors and/or Directors of social service organizations.

**2.2.3** The Council shall attempt to include representatives from the following:

- a. Representative of Healthcare provider organization.
- b. Representative of Supportive Services provider organization

- 2.2.4 Directors of programs that contract with the Non-Metro Agency on Aging to provide services to individuals age 60+ and people with disabilities shall serve as ex-officio members of the Council but shall have no power to vote.

**2.3 SECTION III. Criteria to be used for nominating and/or appointing members and alternates for the council:**

- 2.3.1 Interest/familiarization in the organization's (service to individuals age 60+ or people with disabilities) mission and purpose.
- 2.3.2 Demonstrate leadership skills.
- 2.3.3 Ability to participate constructively in policy and program matter discussions.
- 2.3.4 Represent fairly the needs of individuals age 60+ and people with disabilities and not favor special interest inside or outside the Council.
- 2.3.5 Willingness to devote time to the Council.
- 2.3.6 Commitment to representing the needs of individuals age 60+ and people with disabilities.
- 2.3.7 Ability to function as a team member.

**2.4 SECTION IV. Advisory Council Membership Responsibilities**

- 2.4.1 Advisory Council Members and Alternates will abide by the signed commitment form.

**3. ARTICLE III – MEETINGS**

**3.1 SECTION I. Regular Meetings**

- 3.1.1 The Council will hold regular meetings on a quarterly basis.
- 3.1.2 The Non-Metro Area Agency on Aging Director, with the concurrence of the Council, will hold meetings the third Wednesday following the end of the quarter. (October, January\*, April and July)
  - a.\* To coincide with ALTSD Senior Day at the Legislature
- 3.1.3 The Director of the Non-Metro Area on Aging Agency and/or Chairperson may change regular meeting dates based on need.

**3.2 SECTION II. Special Meetings**

- 3.2.1 The Chairperson and/or Director of the Non-Metro Area Agency on Aging may call special meetings of the full Council.
- 3.2.2 The Chairperson and/or the Director of the Non-Metro Area Agency on Aging may call special meetings with selected committee members.

**3.3 SECTION III. Annual Meetings**

- 3.3.1 If necessary, annual meetings may be called by the Chairperson and/or Director of the Non-Metro Area Agency on Aging.

**3.4 SECTION IV. Notice of Meetings**

- 3.4.1 Notices of regular scheduled meetings will be posted on the NMAAA website, sent electronically or if necessary, through regular mail at least ten (10) days prior to the meeting date.
- 3.4.2 The Non-Metro Area Agency on Aging office will be responsible for the provision of notices.
- 3.4.3 The notice of meetings sent out will contain minutes of the previous meeting and the agenda.

**3.5 SECTION V. Quorum**

- 3.5.1 A quorum will be valid at a meeting starting with a minimum of 50% of the voting members being present in person, or by virtual means.

**3.6 SECTION VI. Agenda**

- 3.6.1 The agenda, which will include the topics of discussion, will be sent in advance with the notice of the meetings.
- 3.6.2 Changes to the original agenda can be made with a fifty (50) percent consent of the voting members.
- 3.6.3 The agenda can be developed by the Chairperson and/or the Director of the Non-Metro Area Agency on Aging.

**3.7 SECTION VII. Conduct of Meetings**

- 3.7.1 The meetings will be conducted with the current parliamentary procedures.
- 3.7.2 Meetings will be open to the general public.
- 3.7.3 Meetings will be posted on the NCNMEDD AAA website.

- 3.7.4 The Chairperson will conduct all meetings; the Vice Chairperson will conduct meetings in the absence of the Chairperson.
- 3.7.5 The Chairperson will have the authority to appoint a member to conduct meetings when both the Chairperson and the Vice Chairperson are unavailable.

#### **4. ARTICLE IV – ELECTION OF MEMBERS**

##### **4.1 SECTION I. Frequency and Method**

- 4.1.1 The Non-Metro Area Agency on Aging will select one (1) person from each county from nominations received from interested individuals submitting a brief resume, letter of interest and letters of support from local government entities, senior program(s) Directors and/or Directors of social service organizations.
- 4.1.2 The frequency and method of nominations will be determined at the local level by such factors as:
  - a. Term Limits
  - b. Vacancies
  - c. Resignations
  - d. Attendance of required meetings

##### **4.2 SECTION II. Election of Officers**

- 4.2.1 The election of office will occur at the 2nd Quarter business meeting of the election year. Terms will expire on December 31<sup>st</sup>, with officers assuming duties January 1.
- 4.2.2 The election of officers for the Council will be conducted by majority vote of members present.
- 4.2.3 The frequency of electing officers will be determined by the following:
  - a. Expiration of term.
  - b. Vacancy due to resignation, non-compliance of bylaws, etc.

##### **4.3 SECTION III. Term of Office**

- 4.3.1 The term of office for the Chairperson and Vice Chairperson will be four years.

##### **4.4 SECTION IV. Nominating Procedure**

- 4.4.1 The nomination process of the election of both the Chairperson and Vice Chairperson will be:



**4.4.1.1** Nominations will be made in advance by a process developed by the Area Agency on Aging (nomination form will be provided at the 1<sup>st</sup> Quarter meeting of election year)

- a. Nominations will be taken from floor
- b. Nominations can only be made by the voting membership
- c. Members must be present to vote (virtually as well)
- d. Nominees will be allowed to vote
- e. Two Council members shall canvass the votes

**4.4.1.2** A valid vote will determine the count for the election.

**4.5 SECTION V. Resignation**

**4.5.1** Written notice of resignation of a Council member will be submitted to the Chairperson and/or the NMAAA Director.

**4.6 SECTION VI. Removal**

**4.6.1** Council members may be removed if:

**4.6.1.1** Members miss three unexcused consecutive meetings. Non-compliance with the “Advisory Council Member Commitment” agreement.

**4.6.1.2** Removal of a member from the Council may be the decision of the Chairperson or the Director of the Non-Metro Area Agency on Aging.

**5. ARTICLE V – OFFICERS**

**5.1 SECTION I. Titles**

**5.1.1** The officers of each respective the Council shall be a Chairperson and Vice Chairperson. The Council shall select the Chairperson and Vice-Chairperson. NMAAA shall provide the Secretary.

**5.2 SECTION II. Responsibilities**

**5.2.1** The Chairpersons responsibilities will include:

**5.2.1.1** Preside over Council meetings.

**5.2.1.2** Prepare/work with the NMAAA Director in preparation of agenda.

**5.2.1.3** Responsible for making appointments of Council members to special committees.

**5.2.1.4** Serve as a liaison between community senior programs and NMAAA.

**5.2.1.5** Establish community efforts with other council members.

**5.2.1.6** Review and sign official documents as deemed necessary.

**5.2.1.7** Act as an ex-officio member on all committees.

**5.2.1.8** Provide active involvement in the development of the service delivery plan to the individuals age 60+ and people with disabilities.

**5.2.2** The Vice-Chairpersons duties will be:

**5.2.2.1** To preside over meetings in the absence of the Chairperson.

**5.2.2.2** To perform the duties delegated by the Chairperson.

**5.2.2.3** To assume all responsibilities of the Chairperson described above in his/her absence.

**6. ARTICLE VI – COMMITTEES**

**6.1 SECTION I. Committee Structure**

**6.1.1** Committees will be made up of Council members and Directors of local program providers. The size of the Committees will range from three to five members. Each Committee will have a Chairperson elected by the Committee members. Staff of the Non-Metro Area Agency on Aging may be members in committees at the discretion of the Non-Metro Area Agency on Aging Director.

**6.1.2** Committees:

**6.1.2.1** Advocacy Committee

**6.1.2.2** Capital Outlay Committee

**6.1.2.3** Policy/Bylaws Committee

**7. ARTICLE VII – AMENDMENTS TO THE BYLAWS**

The bylaws may be amended, altered, or revised at any time by the majority vote of the Council provided that such changes do not conflict with any federal, state, local or NCNMEDD regulations and provided that proposed amendments are presented in writing ten (10) days prior to the meeting of the Council.

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Adopted and Approved by: Chairperson

Date

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Adopted and Approved by: Vice-Chairperson

Date

Revised/Approved/Discussed October 16, 2024



(877) 637-3473

# Quote

**Quote #** QT1836133  
**Date** 07/10/2024  
**Expires** 07/25/2024  
**Sales Rep** Arreola, Hugo A  
**PO #** SCBAs and Cylinders  
**Shipping Method** FedEx Ground  
**Customer** VILLAGE OF MAGDALENA (NM)  
**Customer #** C64877

**Bill To**

VILLAGE OF MAGDALENA FIRE  
 DEPARTMENT  
 PO BOX 145  
 MAGDALENA NM 87825-0145

**Ship To**

VILLAGE OF MAGDALENA  
 Hop Canyon  
 108 N Main St  
 Magdalena NM 87825  
 United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
X8812025005304			Air-Pak X3 Pro SCBA (2018 Edition) with CGA, Parachute Buckles, 2.2, Standard, No Accessory Pouch, E-Z Flo+ Regulator with Quick Disconnect Hose (Rectus-type fittings), None, None, No, Pak-Tracker, No Case, 2 SCBA Per Box	6	\$7,982.00	\$47,892.00
804840-01			CYL&VLV ASSY CARB,30MIN,2216	14	\$1,219.00	\$17,066.00
201215-01			AV-3000 HT (S), KVLR	1	\$382.00	\$382.00
201215-02			AV-3000 HT (M), KVLR	1	\$382.00	\$382.00
201215-03			AV-3000 HT (L), KVLR	1	\$382.00	\$382.00

**Subtotal** \$66,104.00  
**Shipping Cost** \$0.00  
**Tax Total** \$0.00  
**Total** \$66,104.00

This Quotation is subject to any applicable sales tax and shipping and handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1836133

# Chalmers Ford

# PROPOSAL

2500 Rio Rancho Blvd  
Rio Rancho, NM 87124

QUOTE TO: Village of Magdalena

SHIPPED TO: **2024 Ford F-150 Police Responder 4WD- Oxford White  
3.5L Ecoboost**

PROPOSAL # 091924-2  
PROPOSAL DATE September 19th, 2024  
MEMBER PO #.  
CES PO#  
TERMS Due on Receipt  
SALES REP Jocelyn Hernandez  
SHIPPED VIA Pick UP  
F.O.B.  
PREPAID or COLLECT

Sales Tax Rate: 0.00%

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Statewide Price Agreement # 00-00000-20-00121		
1	<b>Item 6: Truck, Half ton, Crew cab, 4WD,</b>	\$ 46,245.00	\$ 46,245.00
	Options:		\$ -
1	D: Bed Liner, Spray-On	\$ 595.00	\$ 595.00
1	L: Engine, Other: 3.5L	\$ 3,600.00	\$ 3,600.00
1	Y: Locking Rear Differential	\$ 570.00	\$ 570.00
1	AB: Mirrors, Power	\$ 405.00	\$ 405.00
1	AC: Off Road Package	\$ 1,205.00	\$ 1,205.00
1	AG: Pursuit Rated-Responder Package	\$ 5,000.00	\$ 5,000.00
1	AK: Running Boards	\$ 600.00	\$ 600.00
1	AU: Trailer Brake Controller-Factory	\$ 460.00	\$ 460.00
1	AV: Trailer Tow Package, Less Trailer Brakes-Factory with Receiver	\$ 1,295.00	\$ 1,295.00
1	AZ: Window Tint	\$ 395.00	\$ 395.00
1	BF: Blind Spot Detection	\$ 375.00	\$ 375.00
1	BV: Reverse Sensing	\$ 375.00	\$ 375.00
			\$ -
1	Chalmers Ford Discount	\$ (9,000.00)	\$ (9,000.00)
			\$ -
			\$ -
<b>Incoming units// ETA: November 2024</b>		SUBTOTAL	52,120.00
<b>Valid for 30 days</b>		TAX	0.00
		FREIGHT	
			\$52,120.00
			PAY THIS AMOUNT

**DIRECT ALL INQUIRIES TO:**  
Jocelyn Hernandez  
505-610-3770  
[jhernandez@chalmersford.com](mailto:jhernandez@chalmersford.com)

**MHQ of New Mexico**  
**5601 Balloon Fiesta Pkwy**  
**Suite C**  
**Albuquerque, NM 87113**



# Quote

Date	Estimate #
9/23/2024	19324
This quote expires in 90 days	

Name / Address
Chalmers Ford Fleet Diego Martinez

Ship To

Rep	Phone	Fax	Email	Visit our Website	Project
	(505) 821-0667	(505) 821-3530	clarsen@mhqnm.com	www.mhqwest.com	Magdalena Fire 202...
Item	Mfg.	Description	Qty	Price	Total
EMPLBSS155	SoundOff Si...	Contact Name:Jocelyn Hernandez Vehicle/Year: 2024 Ford F-150 Type:Fire Note: Customer Supplied Radio. No Camera System. State Contract# 20-00000-21-00030 55" Mpower Light bar with 6" modules With ETSA481RSP and ETSS100N MSRP \$5917.00 State Contract 36% off = \$ 3,786.88	1	3,786.82	3,786.82
ETSA481CSP	Soundoff Si...	QSF043844 nERGY™ 400 Series Multi-Function Siren w/ Button Control, 10-16v - 100w single speaker MSRP \$858.00 State Contract 36% off = \$549.12	1	549.12	549.12
ETSS100J	Soundoff Si...	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt MSRP \$389.00 State Contract 36% = \$248.96	1	248.96	248.96
ETSKLF101	SoundOff Si...	LF Aftershock Siren System, includes: 100 Watt Speaker, 200 Watt Amplifier and Universal Bracket MSRP \$974.00 State Contract 36% Off \$623.36	1	623.36	623.36
36-54085	WESTIN	2021-2024 F-150 Push Bumper EliteXD MSRP \$1011.15 State Contract 20% = \$808.92	1	808.92	808.92
ETFBSANFL	Sound Off S...	Flashback Tail Flasher MSRP \$121.00 State Contract 36% off = \$77.44	1	77.44	77.44
				<b>Subtotal</b>	
				<b>Sales Tax (7.625%)</b>	
				<b>Total</b>	

**MHQ of New Mexico**  
**5601 Balloon Fiesta Pkwy**  
**Suite C**  
**Albuquerque, NM 87113**



# Quote

Date	Estimate #
9/23/2024	19324
This quote expires in 90 days	

Name / Address
Chalmers Ford Fleet Diego Martinez

Ship To

Rep	Phone	Fax	Email	Visit our Website	Project
	(505) 821-0667	(505) 821-3530	clarsen@mhqnm.com	www.mhqwest.com	Magdalena Fire 202...
Item	Mfg.	Description	Qty	Price	Total
EMPS2STS4D	Soundoff Si...	mpower® 4" Fascia Light w/ Stud Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/White MSRP \$245.00 State Contract 36% off = \$156.80	10	156.80	1,568.00
PMP2BKUMB2-D	Soundoff Si...	Grille Under mirror Side Camper shell Rear Camper Shell Open Camper Under Mirror Mount Bracket Kit (each) for installation on Ford F-150 2015 - 2020 for use with mpower® 3" and 4" Stud or Quick Mount - Driver Side only MSRP \$39.00 State Contract 36% = \$24.96	1	24.96	24.96
PMP2BKUMB2-P	Soundoff Si...	Under Mirror Mount Bracket Kit (each) for installation on Ford F-150 2015 - 2020, for use with mpower® 3" and 4" Stud or Quick Mount - Passenger side Only MSRP \$39.00 State Contract 36% = \$24.96	1	24.96	24.96
CC-WBOS-16	Troy	Universal SUV/truck 16" Wide-body open-storage console; 8" slope 8" level MSRP \$794.00 State Contract 20% off = \$635.20	1	635.20	635.20
AC-INBHG	Troy	4" internal dual beverage holder. Includes rubber fingers to keep cup stabilized. MSRP \$64.00 State Contract 20% off = \$51.20	1	51.20	51.20
				<b>Subtotal</b>	
				<b>Sales Tax (7.625%)</b>	
				<b>Total</b>	

**MHQ of New Mexico**  
**5601 Balloon Fiesta Pkwy**  
**Suite C**  
**Albuquerque, NM 87113**



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Item	Mfg.	Description	Qty	Price	Total
FP-SGTRAY	Troy	4" face plate shallow tray w/sloped floor; holds smartphone, keys, wallet, sunglasses, etc. 1.75" H. MSRP \$50.00 State Contract 20% off = \$40.00	1	40.00	40.00
FP-ETSA481	Troy	4" ETSA481 one-piece lights/siren MSRP \$50.00 State Contract 20% Off \$40.00	1	40.00	40.00
FP-MXTL2500	Troy	3" XTL2500/5000/APX6500 remote 05/07 MSRP \$50.00 State Contract 20% Off \$40.00	1	40.00	40.00
425-3816	Jotto	Magnetic Mic - Single Pack MSRP \$41.95 State Contract 20% = \$33.56	2	33.56	67.12
AC-TB-ARMMNT-58	Troy	Console mounted height adjustable arm rest w/ 5x8 pad. MSRP \$213.00 State Contract 20% off = \$170.40	1	170.40	170.40
UNI189	Unity	Driver side kit. MSRP \$83.33 State Contract 10% = \$75.00	1	75.00	75.00
UNI330PL-0002	Unity	6" Round Spotlight Black MSRP \$322.66 State Contract 10% = \$290.39	1	290.39	290.39
P46FLC	Whelen	LED Replacement Bulb MSRP \$307.00 State Contract 36% = \$196.48	1	155.40	155.40
Tremco-F150-15 78104	Streamlight	Tremco Anti-Theft System STINGER® 2020 Rechargeable LED Flashlight 2,000 lumens (high beam); runs 24 hours (low beam) \$252.28 state contract 20% off = \$201.82	1 1	114.65 201.82	114.65 201.82
				<b>Subtotal</b>	
				<b>Sales Tax (7.625%)</b>	
				<b>Total</b>	

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Item	Mfg.	Description	Qty	Price	Total
427126	Tessco Inc	Tri Band VHF, UHF, 800 MHz	1	52.60	52.60
453440	Tessco Inc	0-6000MHz, 3/4" Mount, RG58/U, FME-F Coax Cable 17 Feet	1	31.09	31.09
CH27.1.20	911 Circuits	Ch27 Harness with Single Stage Smart Start Timer and 20' Outputs MSRP \$1215.00 State Contract 20% = \$972.00	1	972.00	972.00
CAMPER ARE DCU	ARE	2024 Ford F-150 Aluminum Camper Shell. Solid front, solid rear and side doors. Tool bins on P/S and D/S.	1	5,250.00	5,250.00
Labor NM	MHQ of Ne...	Installation Labor. Customer Supplied Radio.	45	115.00	5,175.00T
Shipping		Shipping	1	250.00	250.00
GRAPHICS LEVEL 5	MHQ Grap...	Graphics price made from materials	1	840.00	840.00
Labor GR	MHQ Grap...	Graphics Installation	13	92.00	1,196.00T
Labor GR	MHQ Grap...	Graphics Design and Production	2	92.00	184.00T

<b>Subtotal</b>	\$23,544.41
<b>Sales Tax (7.625%)</b>	\$499.82
<b>Total</b>	\$24,044.23



## **JOB OPENING**

**SENIOR CENTER  
COOK / SITE MANAGER**

**VILLAGE OF MAGDALENA**

**The Village of Magdalena is searching for a friendly individual that would enjoy spending time with a senior crowd also to be in charge of meal planning, prepare and cook with a kitchen helper assistant, handling ordering food items needed for meals to be prepared. Organization and inventory skills a plus.**

**SUPERVISED BY: Mayor**

**SUPERVISES: Cook/Driver and other Senior Center employees as designated by Mayor**

**PAY RANGE: Licenses/Certifications contingent upon appropriations approved by the Board.**

**WORKING HOURS: 40 hours per week**

**LUNCH HOUR: Lunch time will be coordinated**

**POSITION GOAL: Performs a variety of administrative duties needed to expedite the delivery of services of the Magdalena Senior Center and manages the day-to-day operations of the Magdalena Senior Center.**

**EVALUATION: Will be evaluated in accordance with the Village of Magdalena policies and procedures.**

**ADVANCEMENT OPPORTUNITY: Promotion is dependent on experience, certification/license, job training availability, job performance, seniority and job opening.**

**October 14, 2024**

**Position open until filled.**