



CIBOLA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2024-28

DONATING CERTAIN EQUIPMENT TO THE VILLAGE OF MILAN

WHEREAS, the Cibola County Board of Commissioners met upon notice of meeting duly published at the Cibola County Administration Building, 700 East Roosevelt Ave., Suite 50, Grants, NM 87020, on April 25, 2024, at 5:00 p.m. as required by law; and,

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), 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 4-38-18 (1876) provides that the Board of County Commissioners has the power to represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1953) provides that board of county commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, the owner, the County of Cibola, is a political subdivision of the State of New Mexico, organized and existing under and by virtue New Mexico law and specifically NMSA 1978, Section 4-3A-1 (1981); and,

WHEREAS, the Village of Milan is a municipality incorporated under New Mexico Law and is completely within the boundaries of the County of Cibola; and,

WHEREAS, NMSA 1978, Section 13-6-2 (A) (2007) states that “providing a written determination has been made [] local public body, [] may sell or otherwise dispose of real or tangible personal property belonging to the [.] local public body, []; and,

WHEREAS, NMSA 1978, Section 13-6-2 (B) (2) (2007) (2) provides that the disposition of property may be made “by negotiated sale or donation to other state agencies, local public bodies, school districts or state educational institutions;” and,



WHEREAS, NMSA 1978, Section 13-6-2 (D) (2007) provides that “[e]xcept as provided in Section 13-6-2.1 NMSA 1978 requiring state board of finance approval for certain transactions, sale or disposition of real or tangible personal property having a current resale value of more than five thousand dollars (\$5,000) may be made by a [] local public body[] if the sale or disposition has been approved by [] the local government division of the department of finance and administration for local public bodies []; and,

WHEREAS, Article 10 Section 14 of the New Mexico Constitution, referred to as the anti-donation clause, which provides that state or municipality shall not make any donation to association or public corporation is inapplicable to donations by state or one of its governmental agencies to another such agency, See, City of Gallup v. New Mexico State Park and Recreation Commission, 86 N.M. 745, 527 P.2d 786 (1974); and,

WHEREAS, the Village of Milan, pursuant to a letter from the Mayor received on April 3, 2024, has requested the donation of the property that is the subject of this resolution and the Board have County Commissioners has determined that the property is no longer needed for Cibola County Government and that it would be in the best interest of the citizens of the County to donate the equipment to the Village of Milan.

NOW THEREFORE, BE IT RESOLVED, that:

1. The Cibola County Commission finds & determines that the following property:

Make	Model	Year	VIN or Serial Number	Value
Volvo	G940B Grader	2012	VCEG940BH0S575209	\$40,000.00
GMC	C8500	2006	1GDT8C4CX6F430048	\$10,000.00
Monroe	Snow & Ice Salter Model MSV0168-82-54- NM/SF3		Serial # 04-0108354	\$2,000.00

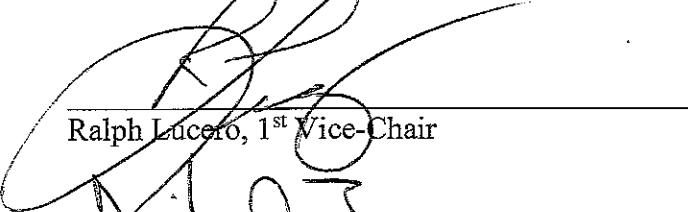
which is incorporated with this Resolution by reference consists of tangible personal property owned by the County of Cibola that is of a current resale value of five thousand dollars (\$5,000) is longer needed for governmental purposes.

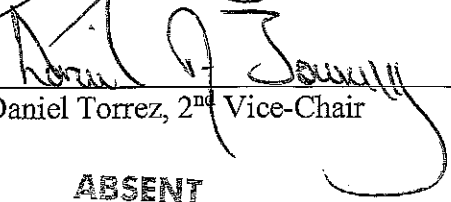
2. A copy of this Resolution shall be made a permanent part of the official minutes of the County and maintained as a public record subject to the Inspection of Public Records Act.
3. The property described herein shall be disposed of by donation to the Village of Milan.
4. The disposition of this property is contingent upon approval by the local government division of the department of finance and administration.
5. The Board delegates its authority to the County Manager and directs the Manager to take all action to effectuate this donation.



APPROVED, ADOPTED, AND PASSED on this 25th day of April 2024.



Christine Lowery, Chair


Ralph Lucero, 1st Vice-Chair


Daniel Torrez, 2nd Vice-Chair

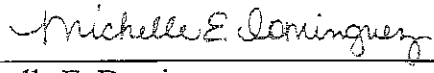
ABSENT

Martha Garcia, Commissioner



Robert Windhorst, Commissioner

ATTEST:



Michelle E. Dominguez
Cibola County Clerk



FELIX O. GONZALES
MAYOR

CANDI WILLIAMS
INTERIM VILLAGE MANAGER



JAMES MERCER
MAYOR PRO TEM

TRUSTEES
CHRISTOPHER J. ARCHULETA
ROSEANNE LOPEZ
MONICA SANDOVAL

Village of Milan
P.O. Box 2727 • 609 US HWY 66
MILAN, NEW MEXICO 87021

Kate Fletcher
Cibola County Manager
700 East Roosevelt Ave., Suite 50
Grants, New Mexico 87020

RE: Transfer Requests

Dear Ms. Fletcher,

The Village of Milan would like to request that the equipment listed, if no longer of need to Cibola County, be transferred by intergovernmental transfer to the Village of Milan. These items include: 1) the Volvo Grader G940B with identification #VCEG940BH0S575209 2) GMC C8500 with identification #1GDT8C4CX6F430048 and 3) Monroe Snow and Ice Salter #00092105 Model# MSV-168-82-54-NM/SF3 Serial #04-01-8354. The Village of Milan appreciates the consideration of a donation. These items will be of great use to the Village of Milan for future use to benefit the residents of the Village of Milan and those traveling through the Village. Your consideration is greatly appreciated. If you have any questions, you can contact me at 505-285-0013.

Respectfully,


Felix Gonzales
Mayor



Judy Horacek

From: Denise Baca <milanclerk@villageofmilan.com>
Sent: Wednesday, April 3, 2024 9:49 AM
To: Kate Fletcher
Subject: Request
Attachments: SKM_C550i24040309400.pdf

Categories: Red Category

Good morning,

Please see the attached transfer request from the Village of Milan. Feel free to contact me if you have any questions.

Thank you for your time and consideration.

Respectfully,

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*Denise M. Baca, CMC
Municipal Clerk
Village of Milan
505-285-0013*

