QUAY COUNTY GOVERNMENT
300 South Third Street
P.O. Box 1246
Tucumcari, NM 88401
Phone: (575) 461-2112
Fax: (575) 461-6208

AGENDA
REGULAR SESSION
QUAY COUNTY BOARD OF COMMISSIONERS
NOVEMBER 8, 2021

9:00 A.M. Call Meeting to Order
Pledge of Allegiance
Approval of Minutes-Regular Session October 25, 2021
Approval/Amendment of Agenda

Public Comment

Ongoing Business

New Business

I. **Clinton D. Harden, Quay County Lobbyist**
- Discussion of **Legislative Junior Monies**

II. **Ellen White, Quay County Clerk**
- Request Approval of the **2021 Local Election Canvass of Results**

III. **Cheryl Simpson, Quay County Finance Director**
- Request Approval of **FY 2021-2022 Resolution No. 15 Budget Adjustment for American Rescue Plan Act**

IV. **Larry Moore, Quay County Road Superintendent**
- **Road Update**

V. **Daniel Zamora, Quay County Manager**
- Request Approval to **Establish Capital Outlay Priorities**
- Request Approval of **Department of Homeland Security & Emergency Management Sub-Recipient Grant Agreement Hazard Mitigation Grant Program**
- Request Approval of **FY 2021-2022 Resolution No. 14 Establishing a Four-Day Workweek for Quay County Offices**
- **Correspondence**

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Quay County, NM Ellen White - County Clerk, County Cle
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VI. Request Approval of Accounts Payable

VII. Other Quay County Business That May Arise During the Commission Meeting and/or Comments from the Commissioners

Adjourn

Lunch-Time and Location to be Announced

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

November 8, 2021
9:00 A.M.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 8th day November, 2021 at 9:00 a.m. in the Quay County Commission Chambers, Tucumcari, New Mexico, for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Robert Lopez, Member
Jerri Rush, Member
Ellen L. White, County Clerk
Daniel Zamora, County Manager

OTHERS PRESENT:

Cheryl Simpson, Quay County Finance Director
Pasty Gresham, Quay County Treasurer
Lucas Bugg, Quay County Fire Marshal
Richard Primrose, Quay County Consultant
James Kleinsasser, Quay County Chief Deputy Assessor
Michael & Nanette Ray, (Michael formerly employed by Quay County Sheriff's Dept.)
Clinton Harden, Quay County Lobbyist
Ron Warnick, Quay County Sun

Chairman McCasland called the meeting to order. Lucas Bugg led the Pledge of Allegiance.

A MOTION was made by Jerri Rush, SECONDED by Robert Lopez to approve the October 25, 2021 regular session minutes. MOTION carried with Lopez voting "aye", Rush voting "aye" and McCasland voting "aye".

County Manager, Daniel Zamora, requested item No. 4 be removed from the Agenda, due to Larry Moore being absent. As well, to move Lobbyist, Clinton Harden, from item No. 1 to No. 4. A MOTION was made by Robert Lopez, SECONDED by Jerri Rush to approve the Agenda with the amendments. MOTION carried with Lopez voting "aye", Rush voting "aye" and McCasland voting "aye".

Public Comments: Michael Ray, former employee of the Quay County Sheriff's Department, explained a Workman's Comp claim he filed against the County and asked to be reconsidered for employment. County Commission Chairman, Franklin McCasland explained to Ray, the

Commissioners have no jurisdiction over employment of any nature except that of the County Manager.

NEW BUSINESS:

Ellen White, Quay County Clerk, presented the 2021 Local Election Results for approval. The Canvass of Results were presented with no exceptions regarding results or outstanding ballots. A MOTION was made by Robert Lopez, SECONDED by Jerri Rush to approve the 2021 Local Election Canvass of Results. MOTION carried with Rush voting "aye", Lopez voting "aye" and McCasland voting "aye". A copy is attached to these minutes.

Cheryl Simpson, Quay County Finance Director, presented the following items for approval:

1. FY 2021-2022 Resolution No. 15; Budget Adjustment for American Rescue Plan Act. A MOTION was made by Jerri Rush, SECONDED by Robert Lopez to approve the Resolution. MOTION carried with Rush voting "aye", Lopez voting "aye" and McCasland voting "aye". A copy of the Resolution is attached.

Clinton Harden, Quay County Lobbyist, presented information and an explanation of Legislative Junior Monies. Harden believes funding will be available and wants to County to pinpoint a project that would qualify. Zamora will work with Harden on a plan.

Quay County Manager, Daniel Zamora requested approval of the following items and presented items of correspondence:

1. Requested approval to establish Capital Outlay Priorities. Zamora requested Quay Road AP reconstruction and Fire & EMS Radio upgrades be prioritized.

A MOTION was made by Jerri Rush, SECONDED by Robert Lopez to approve the Capital Outlay Priorities. MOTION carried with Rush voting "aye", Lopez voting "aye" and McCasland voting "aye".

2. Requested approval of the Department of Homeland Security & Emergency Management Sub-Recipient Grant Agreement. Zamora state the Grant totaling $31,809.86 will be used to purchase four generators to be used at the four busiest main stations in Quay County.

A MOTION was made by Robert Lopez, SECONDED by Franklin McCasland to approve the Grant Agreement. MOTION carried with Lopez voting "aye", McCasland voting "aye" and Rush "abstained", due to her membership on a Fire Department. A copy is attached to these minutes.

3. Requested approval of FY 2021-2022 Resolution No. 14, Establishing a Four-Day Workweek for Quay County Offices.

Following a power point presentation by Zamora and positive comments from the audience from elected officials and employees, A MOTION was made by Robert Lopez, SECONDED by Jerri Rush to approve said Resolution. MOTION carried with Lopez voting "aye", Rush voting "aye" and McCasland voting "aye". A copy is attached to these minutes. Zamora stated a public outreach campaign will be ongoing the remainder of 2021 leading to the new work schedule set to start January 1, 2022.

CORRESPONDENCE:

1. Distributed a letter from Taxation and Revenue regarding auctions for delinquent properties that have been set in other Counties. Zamora, along with Quay County Treasurer Patsy Gresham, is hopeful this is indicative of the possibility of an auction in Quay County.

A MOTION was made by Jerri Rush, SECONDED by Robert Lopez to approve the expenditures included in the Accounts Payable Report ending November 4, 2021. MOTION carried with Lopez voting "aye", Rush voting "aye" and McCasland voting "aye".

Other Quay County Business That May Arise during the Commission Meeting and/or comments from the Commissioners: NONE

There being no further business, a MOTION was made by Robert Lopez SECONDED by Jerri Rush to adjourn. MOTION carried with Lopez voting "aye", Rush voting "aye" and McCasland voting "aye". Time noted 10:15 a.m.

Respectfully submitted by Ellen White, County Clerk.

BOARD OF QUAY COUNTY COMMISSIONERS

Franklin McCasland

Robert Lopez

Jerri Rush

ATTEST:

Ellen L. White, County Clerk

CERTIFICATION OF CANVASS RESULTS

We, the undersigned Board of County Commissioners acting as the Board of Canvassers of Quay County, State of New Mexico, canvass the Local Election held in said county, November 2, 2021, certify that the canvass results text file sent to the office of secretary of state is a correct canvass of returns of said election.

WITNESS the Honorable Board of County Commissioners, November 8, 2021
Date

ATTEST:

Ellen L. White
Clerk

Robert Long
Member

Franklin McFarland
Chairman

Levi Rush
Member

Member

Member

Member

Member

Quay County

Canvass of Returns of Local Election
Held on November 2, 2021 - State of New Mexico

Summary Bucket Report

Ballots Cast	10	0	0	0	0	0	0	205	0	2	0	716	0	0	0	
	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
Mayor - HOUSE																
JOE M PATTON ()	1	0	0	0	0	0	0	3	0	0	0	18	0	0	0	22
EVA SUSAN HARDING ()	0	0	0	0	0	0	0	0	0	0	0	15	0	0	0	15
Councilor At Large Positions 1 & 2 - HOUSE																
ANITA M ALLEN ()	0	0	0	0	0	0	0	0	0	0	0	17	0	0	0	17
DANNY JOE DODD ()	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4
DESTINY MARIE DODD ()	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2
STEVEN EDWARD FOUST ()	1	0	0	0	0	0	0	3	0	0	0	13	0	0	0	17
MATTHEW WAYNE CRAMBLET ()	1	0	0	0	0	0	0	3	0	0	0	20	0	0	0	24
CATHY A RAY ()	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	10
Trustee - SAN JON																
JANET LYNN GLADU (write in) ()	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3
Councilor At Large Position 3 - HOUSE																
RONALD W MCGEE ()	0	0	0	0	0	0	0	0	0	0	0	19	0	0	0	19
JOHN B SNIPES ()	1	0	0	0	0	0	0	3	0	0	0	15	0	0	0	19
Councilor Position 1 - LOGAN																
BRIAN MICHAEL COX ()	0	0	0	0	0	0	0	3	0	0	0	65	0	0	0	68
JAI M COURTNEY ()	0	0	0	0	0	0	0	12	0	0	0	147	0	0	0	159
Councilor Position 2 - LOGAN																
DAVE E SHIVERS ()	0	0	0	0	0	0	0	12	0	0	0	189	0	0	0	201

Quay County

Canvass of Returns of Local Election
Held on November 2, 2021 - State of New Mexico

Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
City Commissioner Dist 4 - CITY COMM DIST 4																
CHRISTOPHER WALLACE ARIAS ()	0	0	0	0	0	0	0	15	0	0	0	35	0	0	0	50
City Commissioner Dist 5 - CITY COMM DIST 5																
MICHEAL W CHERRY ()	2	0	0	0	0	0	0	51	0	0	0	67	0	0	0	120
Municipal Judge - TUCUMCARI																
CHRISTOPHER MAESTAS ()	5	0	0	0	0	0	0	88	0	0	0	151	0	0	0	244
TOMMY L SNAPP ()	1	0	0	0	0	0	0	25	0	0	0	33	0	0	0	59
WILLIS J HENDRICKSON JR ()	0	0	0	0	0	0	0	32	0	0	0	62	0	0	0	94
Position 4 Board Member - GRADY MUNICIPAL SCHOOL DISTRICT																
COLTEN LANE GRAU ()	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2
School Board Member Position 1 - HOUSE SCHOOL DISTRICT																
CALVIN C DOWNEY ()	0	0	0	0	0	0	0	1	0	0	0	25	0	0	0	26
RANDALL BLAKE LEE ()	1	0	0	0	0	0	0	6	0	0	0	45	0	0	0	52
School Board Member Position 1 - SAN JON SCHOOL DISTRICT																
FRANKLIN D GIBSON ()	0	0	0	0	0	0	0	1	0	0	0	54	0	0	0	55
School Board Member Position 2 - HOUSE SCHOOL DISTRICT																
LORI A FOUST ()	1	0	0	0	0	0	0	5	0	0	0	45	0	0	0	51

Quay County

Canvass of Returns of Local Election
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Summary Bucket Report

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STONEY R SHOEMAKER ()	0	0	0	0	0	0	0	2	0	0	0	25	0	0	0	27
School Board Member District 2 - TUCUMCARI DIST 2																
JERRY JOE LOPEZ ()	2	0	0	0	0	0	0	29	0	0	0	34	0	0	0	65
School Board Member Position 3 - SAN JON SCHOOL DISTRICT																
CYNTHIA K LEE ()	0	0	0	0	0	0	0	3	0	0	0	58	0	0	0	61
School Board Member District 3 - TUCUMCARI DIST 3																
CASSIE R HUFFMAN ()	0	0	0	0	0	0	0	6	0	0	0	24	0	0	0	30
ROBERT L LUCERO ()	1	0	0	0	0	0	0	26	0	0	0	59	0	0	0	86
School Board Member Position 4 - LOGAN SCHOOL DISTRICT																
WILLIAM S OSBORN ()	0	0	0	0	0	0	0	12	0	2	0	214	0	0	0	228
Position 4 Board Member - MELROSE MUNICIPAL SCHOOL DISTRICT																
TYLER W BELCHER ()	0	0	0	0	0	0	0	0	0	0	0	9	0	0	0	9
School Board Member Position 4 - SAN JON SCHOOL DISTRICT																
JEREMY WADE ALLEN ()	0	0	0	0	0	0	0	1	0	0	0	42	0	0	0	43
Position 5 Board Member - GRADY MUNICIPAL SCHOOL DISTRICT																
PHILLIP JOE BORDEN ()	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1

Quay County

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Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
School Board Member Position 5 - LOGAN SCHOOL DISTRICT																
TOBY JON WILLIS ()	0	0	0	0	0	0	0	9	0	0	0	148	0	0	0	157
TOM S HUMBLE ()	0	0	0	0	0	0	0	6	0	2	0	103	0	0	0	111
Position 5 Board Member - MELROSE MUNICIPAL SCHOOL DISTRICT																
LARRY D DEVANEY ()	0	0	0	0	0	0	0	0	0	0	0	7	0	0	0	7
College Board Trustee1 - MESALANDS COMMUNITY COLLEGE DISTRICT 1																
JAMES P STREETMAN ()	3	0	0	0	0	0	0	22	0	0	0	37	0	0	0	62
College Board Trustee 3 - MESALANDS COMMUNITY COLLEGE DISTRICT 3																
MARIA T STEPHENSON ()	0	0	0	0	0	0	0	26	0	0	0	67	0	0	0	93
College Board Trustee 4 - MESALANDS COMMUNITY COLLEGE DISTRICT 4																
THOMAS J SIDWELL ()	3	0	0	0	0	0	0	52	0	0	0	69	0	0	0	124
College Board Trustee 5 - MESALANDS COMMUNITY COLLEGE DISTRICT 5																

Quay County

Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
ROBIN BURNS ALDEN (write in) ()	0	0	0	0	0	0	0	4	0	0	0	4	0	0	0	8
Soil & Water Supervisor 2 - SOUTHWEST QUAY SOIL & WATER CONSERVATION																
LISA LYNN RUNYAN ()	1	0	0	0	0	0	0	4	0	0	0	76	0	0	0	81
Soil & Water Supervisor 3 - CANADIAN RIVER SOIL & WATER CONSERVATION BOARD																
TONYA R HODGES ()	7	0	0	0	0	0	0	167	0	2	0	527	0	0	0	703
Soil & Water Supervisor 4 - CANADIAN RIVER SOIL & WATER CONSERVATION BOARD																
DAVID FRANKLIN GARNETT ()	8	0	0	0	0	0	0	162	0	2	0	541	0	0	0	713

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
PUBLIC SCHOOL CAPITAL IMPROVEMENTS ($2.00 MILL) TAX QUESTION: Shall the Board of Education of the House Municipal School District No. 19, Counties of Quay and Roosevelt, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2023, 2024, 2025, 2026, and 2027 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipm - HOUSE MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	5	0	0	0	45	0	0	0	50
No	1	0	0	0	0	0	0	2	0	0	0	22	0	0	0	25

Quay County

Canvass of Returns of Local Election
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Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
PUBLIC SCHOOL CAPITAL IMPROVEMENTS ($2.00 MILL) TAX QUESTION: Shall the Board of Education of the Logan Municipal School District No. 32, Counties of Quay and Harding, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2022, 2023, 2024, 2025, 2026, and 2027 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Eq - LOGAN MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	8	0	2	0	182	0	0	0	192
No	0	0	0	0	0	0	0	7	0	0	0	64	0	0	0	71

Quay County

Canvass of Returns of Local Election
Held on November 2, 2021 - State of New Mexico

Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
GENERAL OBLIGATION SCHOOL BOND QUESTION: Shall the Board of Education of the Melrose Municipal School District No. 12, Counties of Curry, Roosevelt and Quay, State of New Mexico, be authorized to issue general obligation bonds of the District, in one series or more, in the aggregate principal amount not exceeding $600,000, for the purpose of erecting, remodeling, making additions to and furnishing school buildings, purchasing or improving school grounds, purchasing computer software and hardware for student use in public schools, provi - MELROSE MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4
No	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
PUBLIC SCHOOL CAPITAL IMPROVEMENTS ($2.00 MILL) TAX QUESTION: Shall the Board of Education of the Melrose Municipal School District No. 12, Counties of Curry, Roosevelt and Quay, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2022, 2023, 2024, 2025, 2026, and 2027 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Te - MELROSE MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3
No	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0	6

Quay County

Canvass of Returns of Local Election
Held on November 2, 2021 - State of New Mexico

Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
PUBLIC SCHOOL CAPITAL IMPROVEMENTS ($2.00 MILL) TAX QUESTION: Shall the Board of Education of the San Jon Municipal School District No. 34, County of Quay, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2023, 2024, 2025, 2026, and 2027 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment Act Chapte - SAN JON MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	3	0	0	0	47	0	0	0	50
No	0	0	0	0	0	0	0	1	0	0	0	14	0	0	0	15

Quay County

Canvass of Returns of Local Election
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Summary Bucket Report

	Absentee - Machine	Absentee - Hand	Absentee FWAB	Federal Overseas - Hand	Federal Overseas - Machine	Absentee Provisional - Hand	Absentee Provisional - Machine	Early - Machine	Early - Hand	Early Provisional - Hand	Early Provisional - Machine	Election Day - Machine	Election Day - Hand	Election Day Provisional - Hand	Election Day Provisional - Machine	Total
PUBLIC SCHOOL CAPITAL IMPROVEMENTS ($2.00 MILL) TAX QUESTION: Shall the Board of Education of the Grady Municipal School District No. 61, Counties of Curry and Quay, State of New Mexico, be authorized to impose a property tax of $2.00 on each $1,000.00 of net taxable value of the property allocated to the District under the Property Tax Code for the property tax years 2023, 2024, 2025, 2026, and 2027 for capital improvements in the District including payments made with respect to lease-purchase arrangements as defined in the Education Technology Equipment - GRADY MUNICIPAL SCHOOL DISTRICT																
Yes	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2
No	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

QUAY COUNTY
FISCAL YEAR 2021-2022
RESOLUTION No. 15

Authorization of Budgetary Increase to **American Rescue Plan Act (654)**

WHEREAS, at meeting of the Board of Quay County Commissioners on November 8, 2021 the following was among the proceedings;

WHEREAS, the Board of Quay County Commissioners deems it necessary to request this Budgetary Increase;

State Fund 26000
Budgetary Increase

	DEBIT	**CREDIT**
26000-2002-51080 Salaries – Add'l Compensation	**$ 34,000**	
26000-2002-52010 FICA – Regular	**$ 2,200**	
26000-2002-52011 FICA – Medicare	**$ 500**	

WHEREAS, the above activity was not contemplated at the time the final budget was adopted and approved **ARPA funds to pay Hazard Incentives to Employees maintaining day to day operations during the Pandemic**

NOW THEREFORE, BE IT RESOLVED that after approval of the Local Government Division of the Department of Finance and Administration, the above Budgetary Adjustment be made.

DONE at Tucumcari, County of Quay, New Mexico this 8th day of November, 2021.

Franklin McCasland, Commissioner

Jerri Rush, Commissioner

Robert Lopez, Commissioner

ATTEST:

Ellen White, County Clerk

SEAL

Quay County
Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2023	2024	2025	2026	2027	Total Project Cost	Amount Not Yet Funded	Phases?
36219	2023	001	Quay Road 63 Construction	Transportation - Highways/Roads/Bridges	0	250,000	1,000,000	0	0	0	1,250,000	1,250,000	Yes
36222	2023	002	Quay Road 62.9 Construction	Transportation - Highways/Roads/Bridges	0	1,000,000	0	0	0	0	1,000,000	1,000,000	No
37753	2023	003	Fire & EMS Radio Equipment Upgrade	Equipment - Public Safety Equipment	0	250,000	0	0	0	0	250,000	250,000	No
24423	2023	004	Bridge #1042 on Historic Rt. 66	Transportation - Highways/Roads/Bridges	0	3,000,000	2,250,000	0	0	0	5,250,000	5,250,000	Yes
37518	2023	005	Sheriff's Vehicles	Vehicles - Public Safety Vehicle	0	200,000	0	0	0	0	200,000	200,000	No
36223	2023	006	Quay Road AR Construction	Transportation - Highways/Roads/Bridges	0	1,000,000	500,000	0	0	0	1,500,000	1,500,000	Yes
35893	2023	007	Quay Road AP Construction	Transportation - Highways/Roads/Bridges	0	550,000	300,000	0	0	0	850,000	850,000	No
31133	2023	008	Asset Management Procedure Plan	Other - Other	0	100,000	0	0	0	0	100,000	100,000	No
27887	2023	009	Quay County Detention Center Renovations	Facilities - Other	560,000	200,000	0	0	0	0	760,000	200,000	No
32711	2024	001	Ute Reservoir Watershed Restoration	Water - Storm/Surface Water Control	0	0	500,000	0	0	0	500,000	500,000	No
23125	2024	002	Dump Truck Equipment	Equipment - Other	0	0	400,000	0	0	0	400,000	400,000	No
23127	2024	003	Pneumatic Roller	Equipment - Other	0	0	250,000	0	0	0	250,000	250,000	No
27731	2024	004	Courthouse Window Replacement	Facilities - Administrative Facilities	0	0	1,164,000	0	0	0	1,164,000	1,164,000	No

23108	2025 001	Dozer Equipment	Equipment - Other	0	0	0	750,000	0	0	750,000	750,000	No
22058	2025 002	County Vehicles	Equipment - Other	0	0	0	300,000	0	0	300,000	300,000	No

Number of projects: 15

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	560,000	6,550,000	6,364,000	1,050,000	0	0	14,524,000	13,964,000

State of New Mexico

DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

P.O. Box 27111

Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT

HAZARD MITIGATION GRANT PROGRAM

Federal Grant No.: PF-5281-0003-NM CFDA No.: 97.039

1. SUB-GRANT NO.	2. SUB-RECIPIENT NAME	3. PROJECT NAME
HMGP-PF-5281-0003-NM	Quay County	Quay County Fire Station Generators

4. STATE DFA SUPPLIER ID	5. EIN NUMBER	6. DUNS NUMBER	7. CAGE CODE
54395	85-6000238	051336105	5RFT1

8. SUB-RECIPIENT PHYSICAL ADDRESS	9. SUB-RECIPIENT REMIT ADDRESS
300 S. 3rd St. Tucumcari, NM 88401	P.O. Box 1246 Tucumcari, NM 88401

10. DHSEM CONTACT NAME:	11.	
Dave Alyassin	CONTACT DESK PHONE:	505-476-9610
	CONTACT CELL PHONE:	505-373-7140
	CONTACT EMAIL ADDRESS:	dave.alyassin@state.nm.us

12a. PERFORMANCE PERIOD START DATE	August 10, 2021	12b. PERFORMANCE PERIOD END DATE	September 27, 2023

13. TOTAL AWARD AMOUNT:	$ 31,809.86

13a. FEDERAL SHARE	13b. LOCAL SHARE	13c. STATE SHARE
$ 24,236.00	$ 7,573.86	$ NA

	14a. NAME OF PROJECT AWARD	14b. FEDERAL SHARE	14c. NON-FEDERAL SHARE
1	Administration and Legal	$	$ 3,505.46
2	Construction	$2,533.60	$ 4,068.40
3	Equipment	$20,188.00	$
4	Subrecipient Management Costs	$ 1,514.40	$
5		$	$
6		$	$
	TOTAL AMOUNT OF PROJECTS	$ 24,236.00	$ 7,573.86

15. RECITALS, GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS

RECITALS

WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (DHSEM) has been designated by the Federal Emergency Management Agency to serve as Recipient and is thereby authorized to issue this agreement to the applicant, Sub-Recipient, **Quay County**.

WHEREAS, funding has been obligated from the Federal Emergency Management Agency pursuant to a request by the applicant, Sub-Recipient, **Quay County.**

NOW, THEREFORE it is mutually understood and agreed between the Recipient, DHSEM, and Sub-Recipient, **Quay County** as follows:

ARTICLE 1: CONTRACT DOCUMENTS

The following documents are fully incorporated into this agreement:

This Sub Grant Agreement
Attachment I Required Reimbursement Checklist
Sub Grant application as approved by FEMA on **August 10, 2021**

ARTICLE 2: SCOPE OF WORK

As authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), as amended (42 U.S.C Sections 5121 et. seq.), and Section 662 of the Post Katrina Emergency Reform Act of 2006, as amended (6 U.S.C. Section 762), **Quay County** has been awarded funds to **install generators at critical facilities.** Funds shall be utilized as outlined in the approved budget awarded by FEMA on **August 10, 2021**. **Quay County** shall match the Federal Award Amount of **$24,236.00** with a local jurisdictional amount of **$7,573.86** for a total project cost of **$31,809.86**. This equates to a FEMA approved non-federal cost match of 25%. An additional **$1,514.00** is awarded in 100% federal Sub-recipient Management Cost for which no match is required, for a total project cost of **$31,809.86.** All work performed pursuant to this agreement must comply with the approved FEMA application. All work must be completed within the performance period, between **August 10, 2021 and September 27, 2023**. Quay County shall not sub-grant any part of this award to any other entity or organization. Within the first reporting quarter, all awards require confirmation that expenditures in the budget category toward this project will be made. If not, DHSEM may execute a de-obligation of Federal funds, without recourse by **Quay County**.

ARTICLE 3: PROJECT IMPLEMENTATION

Approved projects must commence within the first reporting quarter. If a project cannot commence and be operational within the first reporting quarter of the approved award date, the sub–Recipient must submit a written statement to DHSEM, signed by the sub-recipient signatory officials, justifying the delay in implementation, the expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the sole discretion of DHSEM, the grant award is subject to cancellation and funds may be de–obligated and reallocated to other projects.

ARTICLE 4: REPORTING REQUIREMENTS

The sub recipient, **Quay County** shall submit timely quarterly Financial Progress Reports and a quarterly Performance Progress Report to the DHSEM Sub Grant Analyst. Use of outdated forms will not be accepted. ***Quarterly reports are due: January 15, April 15, July 15, October 15, beginning with the first quarter after the performance period start date.*** The final reports are due 45 days after the end of Period of Performance. Financial Progress Reports shall describe and show the status of the funds, encumbrances, receipts of program income, cash or in-kind contributions to the project, and whether a local match is required.

The applicant must immediately report in writing to the DHSEM Sub Grant Analyst any alleged acts or allegations of fraud or misappropriation of funds for work authorized under this Sub-Grant Agreement. This requirement extends further to an obligation by the sub-recipient to report any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

ARTICLE 5: REIMBURSEMENTS

Reimbursement shall be based upon authorized and allowable expenditures consistent with the project narrative, grant guidelines, and the submission of timely Financial and Performance Progress Reports. Reimbursement of expenditures shall be requested quarterly or monthly if need be for expenditures within the performance period. A minimum of 25% (of the total project cost) in non-federal match must be included on each request for reimbursement. All expenditures must be supported with source documentation (e.g. copies of proof of payment, invoices, receipts, timesheets with name/rate/hours and certified, breakdown of expenditures based on FEMA approved budget, warrants, brief description of work done, required deliverables, etc.). Request for reimbursement will not be processed if quarterly financial or performance reports are delinquent. Final payment of 15% will not be made until DHSEM verifies all activities are complete. All payments shall be made upon an actual cost reimbursement basis.

Contracts: All requests for proposals/bids, sole–source procurements, single vendor response to a competitive bid, and contracts require DHSEM pre–approval prior to implementation. Requests for reimbursement for contractual services must be accompanied by the relevant contract.

Local Match: Local matching funds must clearly support the source, the amount, and the timing of all matching contributions. 25% of match must be shown on each invoice when requesting for reimbursement. Copies of proof of payment, invoices, receipts, purchase order, timesheets with name/wage/hours, cost allocation, general ledger, warrants, etc. must be submitted as backup for match.

Non-reimbursable Expenses:

- Transfer of funds between any programs. Contracts, single vendor response to a competitive bid, sole source contracts, any procurement documentation not pre-approved by DHSEM.
- Training and related travel costs not pre-approved by DHSEM.
- Supplanting (using federal funds to purchase items previously budgeted for with state or local funds).
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Weapons and ammunition.
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls.
- Travel insurance, visa, and passport charges.
- Lodging costs in excess of State per diem, as appropriate.
- Lunch when travel is wholly within a single day.
- Stand–alone working meals.

- Bar charges, alcoholic beverages.
- Finance, late fees, or interest charges.
- Lobbying, political contributions, legislative liaison activities.
- Organized fund–raising, including salaries of persons while engaged in these activities.
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.

ARTICLE 6: PERFORMANCE MEASURES

Quarterly Progress Reports shall demonstrate performance and progress relative to acceptable performance on applicable critical tasks:

1. Progress in achieving project timelines and milestones.
2. Percent measurable progress toward completion of project.
3. How funds have been expended during reporting period, and explaining expenditures related to the project.

ARTICLE 7: SUB-RECIPIENT MONITORING POLICY

Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets and other related program criteria are being met. DHSEM reserves the right to periodically monitor, review, and conduct analysis of financial, programmatic, and administrative policies, procedures, and practices. This monitoring may include review of accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting, procurement, records management, payroll, means of allocating staff costs, property and equipment management system, progress of project activities, etc.. Monitoring may include desk and field audits. DHSEM will also conduct sub-recipient monitoring. Technical assistance is available from DHSEM staff.

ARTICLE 8: PROCUREMENT

When procuring property and services under this agreement, ***the sub-recipient will follow 2 CFR 200.318 through 2 CFR 200.326.*** The sub-recipient must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200. ***As such, the sub-recipient must use one of the methods of procurement identified in 2 CFR 200.320.*** The sub-recipient may request that its procurement system be reviewed by FEMA or DHSEM to determine whether its system meets standards for its system to be compliant

Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition. Each sole–source procurement, single vendor response to a competitive bid, and all purchases require prior approval of DHSEM.

ARTICLE 9: CONTRACTS

Any contract entered into during this sub-grant period shall comply with local, State and Federal government contracting regulations. Contracts for professional and consultant services must include local, State and Federal government required contract language, a project budget, SOW, and pay schedule. ***All contracts require pre-approval by DHSEM prior to execution.*** Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the marketplace. Detailed invoices and time and effort reports are required for consultants.

ARTICLE 10: AUDIT REQUIREMENTS

As the Federal grant recipient, the State of New Mexico requires a sub–recipient expending $750,000 or more in Federal funds in the organization's fiscal year to conduct an organization–wide audit in accordance with 2 CFR 500 Subpart F. **Quay County** will permit the State of New Mexico Grant and Program officials and auditors to have access to the sub-recipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with 2 CFR 500 Subpart F. Copies of audit findings must be submitted to DHSEM within 30 days after **Quay County** receives its audit report, or within a 9–month period of the grant closeout date, whichever is earlier, in accordance with 2 AAC 45.010. Include the Federal agency name, program, grant number, and year; the CFDA title and number; and the name of the pass-through agency.

ARTICLE 11: PROPERTY AND EQUIPMENT MANGEMENT

The sub-recipient will follow the property standards articulated in 2 CFR 200.310 through 2 CFR 200.326. The sub-recipient shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A Property Inventory Report shall be submitted to DHSEM annually each January 30 with the Financial Progress Report during the performance period, and continued submission is required annually until final disposition of the equipment. The sub-recipient shall, when practical, prominently display the following on any equipment purchased with award funds: **Purchased with funds provided by the Federal Emergency Management Agency**. No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from DHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment.

ARTICLE 12: NEPA/EHP COMPLIANCE

The sub-recipient must provide information to DHSEM to assist with the legally required environmental planning and historic preservation (EHP) review and to ensure compliance with the applicable EHP laws and Executive Orders (EO). These EHP requirements include but are not limited to National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, E 11988 Floodplain Management, EO 11990 Protection of Wetlands, and EO 12898 Environmental Justice. The recipient must comply with all Federal, State and Local EHP requirements and obtain applicable permits and clearances.

Recipients shall not undertake any activity from the project that would result in ground disturbance, facility modification, or relates to the use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, and modifications to buildings that are 50 years old or older, and exercises. Recipient must comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. An EHP Screening Form will not need to be provided for those exercises that are planned to take place at previously approved facilities, such as, fire and police academies, search and rescue training facilities, and explosive testing centers. Any type of exercise that requires any type of land, water, or vegetation disturbance or building of temporary structures must undergo an EHP review.

Any change to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Initiation of these activities prior to completion of FEMA's EHP review will result in a non-compliance finding and may result in ineligibility of grant funding.

ARTICLE 13: PUBLICATIONS

Publications created with funding under this grant shall prominently contain the following statement or a DHSEM pre-approved modification: **This Document was prepared under a sub-grant from the FEDERAL EMERGENCY MANAGEMENT AGENCY, and the NEW MEXICO DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the Federal Emergency Management Agency and the New Mexico Department of Homeland Security and Emergency Management.**

ARTICLE 14: RECORDKEEPING

The sub-recipient will follow the record retention and access standards articulated in 2 CFR 200.333 through 2 CFR 200.337. The grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement or transfer of the property and equipment.

ARTICLE 15: CHANGES TO AWARD

All change requests must be submitted either in writing or electronically to the designated DHSEM Mitigation Specialist and ASB Sub Grant Analyst for review and possible approval. All change requests must be accompanied by a justification narrative and a budget and spending plan. All change requests must be consistent with the scope of the project and grant guidelines. Change requests will be considered only if reporting requirements are current, and all other terms and conditions of this agreement have otherwise been met at the time the request. If approved by DHSEM, changes in the programmatic activities, purpose of the project, key personnel specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions, will result in an amendment to this award.

ARTICLE 16: OTHER GENERAL PROVISIONS

A. The performance period for this grant award is **August 10, 2021 through September 27, 2023.** Further, all personnel related grant activity must be completed between **August 10, 2021 and September 27, 2023**. Funds may not be obligated outside of these time periods. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. **All obligated and encumbered funds *must be liquidated* within 45 days of the end of the performance period when the *Final Progress and Financial Reports* are due.**

B. The signatures of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The sub-recipient shall follow the financial management requirements imposed on them by DHSEM, which includes the requirements of the Federal Emergency Management Agency.

C. The signature of the signatory officials on this award attests to **Quay County** understanding, acceptance, and compliance with Lobbying; Debarment, Suspension and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant State or local funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.

D. **Quay County** shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state or local agencies, and each award is accounted for separately.

E. **Quay County** shall comply with Federal Civil Rights Laws and Regulations: *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1991.* **Quay County** will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.

F. **Quay County** certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (EEOP) (for USDHS/DOJ grants). An EEOP is not required for recipients of less than $25,000.00 or fewer than 50 employees.

G. **Quay County** certifies that its employees are eligible to work in the U.S. as verified by Form I–9, Immigration & Naturalization Service Employment Eligibility.

H. It is the responsibility of **Quay County** as the recipient of these federal funds to fully understand and comply with the requirements of:

- **Assurances, Administrative Requirements, Cost Principles, and Audit Requirements,**

Application for Federal Assistance (SF-424), *OMB #4040-0004*; Budget Information for Non-construction Programs (SF-424A), *OMB #4040-0006*, or Budget Information for Construction Programs (SF-424C), *OMB #4040-0008*; Assurances for Non Construction Programs (SF-424B), *OMB #4040-0007*, or Assurances for Construction Programs (SF-424D), *OMB #4040-0009*; Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements (FEMA Form 20-16C), *OMB #1660-0025*; and Disclosure of Lobbying Activities (SF-LLL), *OMB #4040-0013* (if the Applicant has engaged in or intends to engage in lobbying activities).

- **Whistleblower Protection Act,**
  - 10 U.S.C Section 2409,
  - 41 U.S.C. 4712,
  - 10 U.S.C. Section 2324,
  - 41 U. S. C. Sections 4304
  - 41 U. S. C. Sections 4310,
- **Use of DHS Seal, Logo and Flags -** All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags.
- **USA Patriot Act of 2001,** 18 U.S.C. Sections175 175c,
- **Universal Identifier and System of Award Management (SAM),** 2 C.F.R. Part 25, Appendix A,
- **Reporting of Matters Related to Recipient Integrity and Performance,** 2 C.F.R. Part 200, Append ix, XII,
- **Rehabilitation Act of 1973, 29 U.S.C. Section 794,**
- **Trafficking Victims Protection Act of 2000,** Section 106(g) 22 U.S.C. section 7104, 2 CFR Section 1 75.15,
- **Terrorist Financing,**
- **SAFECOM,**
- **Reporting Sub-Awards and Executive Compensation,**
- **Procurement of Recovered Materials, Solid Waste Disposal Act, Resource Conservation Recovery Act,**
- **Environmental Protection Agency (EPA) 40 C. F.R. Part 247,**
- **Patents and Intellectual Property Rights,**
  - Bayh-Dole Act. Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq.
  - 37 C.F.R. Part 401

- 37 C.F.R. Section 401.14

- **Non-supplanting Requirement** - All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.
- **Lobbying Prohibitions, 31 U.S.C. Section 1352,**
- **Limited English Proficiency (Civil Rights Act of 1964, Title VI),**
- **Hotel and Motel Fire Safety Act of 1990**
- **Federal Fire Prevention and Control Act of 1974, as amended,** 15 U.S.C. Section 2225
- **Fly America Act of 1974,** 49 U.S.C. Section 41102, 49 U.S.C. Section 40118 Comptroller General Decision B-138942
- **Best Practices for Collection and Use of Personally Identifiable Information (PII)** - DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.
- **Americans with Disabilities Act of 1990,** 42 U. S. C. Sections 12101, 12213,
- **Age Discrimination Act of 1975, Title 42 U.S. Code section 6101 et,**
- **Activities Conducted Abroad** - All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- **Acknowledgment of Federal Funding from DHS** - All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.
- **Federal Leadership on Reducing Text Messaging while Driving, Federal Debt Status,**
- **False Claims Act and Program Fraud Civil Remedies,** 31 U. S. C. Section 3729, 31 U. S.C. Section 3801-3812,
- **Energy Policy and Conservation Act, 42 U.S.C. Section 6201,**
- **Education Amendments of 1972 (Equal Opportunity in Education Act),** 20 U.S.C. section 1681 et seq, 6 C.F.R. Part 17 and 44 C.F.R. Part 19,
- **Duplication of Benefits,** 2 C.F. R. Part 200, Subpart E, **Drug-Free Workplace Regulations,** 41 U.S. C. section 701 et seq, 2 C.F.R Part 3001,
- **Debarment and Suspension,** Executive Orders, 12549 and 12689, and 2 C.F.R. Part 180,
- **Copyright,** 17 U.S.C. sections 401 or 402,
- **Civil Rights Act of 1968,** Title VIII of the Civil Rights Act of 1968, 42 U.S.C. section 3601 et seq, 24 C.F.R. Part 100, 24 C.F.R Section 100.201,
- **Civil Rights Act of 1964 - Title VI,** 42 U.S.C. Section 2000d et seq, 6 C.F.R. Part 21, 44 C.F.R. Part 7
- **DHS Specific Acknowledgements and Assurances**
  - All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
  - Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
  - Recipients must give DHS access to and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
  - Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
  - Recipients must comply with all other special reporting, data collection, and evaluation requirements,

as prescribed by law or detailed in program guidance.

- If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hg.dhs.gov or by mail at **U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528**.
- In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.
- The United States has the right to seek judicial enforcement of these obligations.

- **Disposition of Equipment Acquired Under the Federal Award,** 2 C.F.R. Section 200.313, https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-sec200-313
- **National Environmental Policy Act,** National Environmental Policy Act (NEPA), Council on Environmental Quality (CEO) Regulations for Implementing the Procedural Provisions of NEPA,
- **Nondiscrimination in Matters Pertaining to Faith-based Organizations,** 6 C. F. R. Part 19

ARTICLE 17: PENALTY FOR NON-COMPLIANCE

For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHSEM shall notify the sub-recipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The sub-recipient must respond within 5 days of receipt of notification.

(a) Unwillingness or inability to attain project goals
(b) Unwillingness or inability to adhere to Article 19, Special Conditions.
(c) Failure or inability to adhere to grant guidelines and federal compliance requirements
(d) Improper procedures regarding contracts and procurements
(e) Inability to submit reliable and/or timely reports
(f) Management systems which do not meet federal required management standards
(g) Failure or inability to adhere to the terms and conditions of this agreement

ARTICLE 18: TERMINATION

For Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHSEM will provide notice of five (5) days to the sub-recipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHSEM will reimburse the sub-recipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion of DHSEM until completion of a final DHSEM review. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

For Convenience: This Agreement may be terminated without cause by either of the parties upon written notice delivered to the other party at least 30 days prior to the intended date of termination. A termination pursuant to this

provision does not nullify a party's obligations for performance or liabilities for failure to perform already incurred prior to the date of termination. Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. The U.S. Department of Homeland Security (USDHS) and the DHSEM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

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ARTICLE 19: SPECIAL CONDITIONS

**** Grant funds cannot be expended until these conditions have been met.***

1) The grant award amount is a funding allocation and is not to be interpreted as expenditure authorizations or approvals. Pre-approval from DHSEM's Mitigation Unit and Administrative Service Bureau (ASB) is required for **applicable** purchases regardless of any application review.
2) All awarded projects must be planned for, conducted, budgeted and expended within the designated performance period.
3) All performance activities will be monitored by the Mitigation Unit and ASB Unit on a quarterly basis or as needed to ensure sub-recipients are conducting progressive activities to ensure project completion within the specified performance period.
4) Quarterly financial and progress reports are due on April 15, July 15, October 15, January 15 for each calendar year the award is open and submits to the Sub Grant Analyst - Catherine.watson@state.nm.us.
5) All Budget Revisions must be reviewed and approved by the Mitigation Unit and ASB to ensure that the proposed project meets all federal and state eligibility requirements. Budget Revisions **must** meet the original scope of the project.
6) If a revision of the project scope of work is requested, it must be pre-approved by the Mitigation Unit and FEMA.
7) The beneficiary of this award is solely responsible for all expenditures that are incurred outside of the award performance period.
8) All expenditures that are incurred above and beyond the amount of this sub-grant agreement are the sole responsibility of the sub-recipient of this award.
9) The FEMA approved National Environmental Policy Act/Environmental Historic Preservation (NEPA/EHP) clearance must be submitted prior to any ground disturbance, modification to buildings, etc.
10) Procurement from Minority Owned and Women Owned Business is encouraged and must be tracked and reported to DHSEM on the quarterly reports.
11) Annual external audit reports must be submitted to DHSEM within 30 days of receipt by sub-recipients.
12) All Contracts for goods and services, to include the project scope of work, must be reviewed and approved the Mitigation Unit and ASB before execution, to include signing of contract between parties.
13) All requests for Sub-grant award extensions must be received at DHSEM **prior to** the 90-day grant award termination date. Requests for sub-grant award extensions will **only** be considered for documented extenuating circumstances and will be reviewed by the Mitigation Unit on a case-by-case basis.
14) Upon completion of all awarded projects, any remaining funds will be de-obligated and reverted to NMDHSEM.

State of New Mexico
DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT
P.O. Box 27111
Santa Fe, NM 87502

SUB-RECIPIENT GRANT AGREEMENT
Hazard Mitigation Grant Program
Federal Grant No.: PF-5281-0003-NM CFDA No.: 97.039

The acceptance of a grant from the United States and the State of New Mexico creates a legal duty and obligation on the part of the Sub-Recipient **Quay County** to use the funds or property made available in accordance with the conditions of the grant as administered by and through the New Mexico Department of Homeland Security and Emergency Management.

SIGNATURE OF ACCEPTANCE

JURISDICTION SIGNATURES			
Signature of Program Manager		**DATE**	
Printed Name:			
Contact Number:		**E-Mail Address:**	
Signature of Jurisdiction Chief Financial Officer		**DATE**	
Printed Name:			
Contact Number:		**E-Mail Address:**	
Signature of Jurisdiction Signatory Official		**DATE**	
Franklin McCasland		11-8-2021	
Printed Name: Franklin McCasland			
Contact Number: 575-461-2112		**E-Mail Address:** fmccasland@yahoo.com	
NM DHSEM SIGNATURES			
Signature of DHSEM Grants Unit Manager		**DATE**	
Print Name: *Catherine Watson*			
Signature of DHSEM Cabinet Secretary		**DATE**	
Print Name: *Bianca Ortiz-Wertheim*			

Please print one original agreement, sign, & email to dhsem.grants@state.nm.us

Attachment I

Required Reimbursement Checklist

Please Note: **DHSEM reserves the right to update this check list throughout the life of the grant to ensure compliance with applicable federal and state rules and regulations.** ***Please only check the categories that apply to the reimbursement you are currently requesting.***

EQUIPMENT

- ☐ Have all invoices been included?
- ☐ Has proof of payment been included? (e.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement)

CONSULTANTS/CONTRACTORS

- ☐ Does the amount billed by consultant add up correctly?
- ☐ Has all appropriate documentation to denote hours worked been properly signed?
- ☐ Have copies of all planning materials and work product (e.g. meeting documents, copies of plans) been included? (If a meeting was held by recipient or contractor/consultant of recipient, an agenda and signup sheet with meeting date must be included).
- ☐ Has the invoice from consultant/contractor been included?
- ☐ Has proof of payment been included? (e.g. canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

SALARY POSITIONS (Note: this applies to positions billed under M&A)

- ☐ Have the following been provided: signed time sheet by employee and supervisor and proof that employee was paid for time worked (statement of earnings, copy of payroll check or payroll register)?
- ☐ Has a time period summary sheet been included for total claimed amount?
- ☐ Has a general ledger payroll report been included for total claimed amount? Ensure this report includes both employee and employer payroll information (i.e. benefits/contributions).
- ☐ Does the back-up documentation include a copy of the check stub per employee for the time period covered?
- ☐ Does the back-up documentation provided match the time period for which reimbursement is being requested?

MATCHING FUNDS (IF APPLICABLE)

- ☐ Contributions are from Non-Federal funding sources.
- ☐ Contributions are from cash or in-kind contributions which may include training investments.
- ☐ Contributions are not from salary, overtime or other operational costs unrelated to training.
- ☐

FY2021-2022 RESOLUTION NO. 14

RESOLUTION ESTABLISHING A FOUR-DAY WORKWEEK

FOR QUAY COUNTY OFFICES

WHEREAS, the Board of County Commissioners of Quay County, New Mexico, believes that a four-day workweek for most of the County offices will result in a savings in operational costs; and

WHEREAS, extended hours during a four-day work week will provide greater access to county offices outside of regular business hours, providing 3 additional hours during a day for business totaling an extra 4 hours a week; and

WHEREAS, all of the County Elected Officials and County employees have expressed a desire to work a four-day workweek; and

WHEREAS, it is believed the quality of life for current and future employees will be improved with the additional day for family activities; and

WHEREAS, as an employer, Quay County Government will be more attractive to future employees with a four-day workweek schedule.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Quay County, New Mexico:

1. Effective January 1, 2022, all Quay County offices, with the exception of the Quay County Sheriff's Office and Quay County Detention Center shall begin a four-day workweek. The normal schedule shall be 7:00 a.m. to 6:00 p.m. Monday through Thursday with staggered lunch breaks and alternating start and closing times to be administered by each office.

2. The holiday schedule for 2022 shall be presented to the Board of County Commissioners in December, 2021 and shall take into consideration the four-day workweek for employees.

3. The required four-day workweek described herein is considered to be on a trial basis only and shall continue for a period of one year, unless terminated sooner by the Board of County Commissioners.

4. Any provision of this Resolution which conflicts with the Quay County Personnel Policy shall be, for the trial period, superseded by this Resolution.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF NOVEMBER, 2021.

BOARD OF COUNTY COMMISSIONERS OF QUAY COUNTY, NEW MEXICO

Franklin McCasland, Chairman

Robert Lopez, Member

Jerri Rush, Member

ATTEST:

Ellen White, County Clerk

DATE/21	NAME	ROAD BLADED	BLOCKS	MILES	ADDITIONAL WORK TO ROAD/COMMENTS
10/4/21	LOUIS	QUAY ROAD M	5400-5900	5.00	
	LOUIS	RT. 66	1300-1475	1.75	
10/5/21	LARRY	QUAY ROAD 49	2000-2200	2.00	
	LARRY	QUAY ROAD V	4800-4900	1.00	
	LARRY	QUAY ROAD 47	1800-1900	1.00	
	TONY	QUAY ROAD R	8150-8500	3.50	
10/6/21	QUADE	QUAY ROAD AX	2400-2600	2.00	
	LOUIS	QUAY ROAD M	5250-5350	1.00	
	LOUIS	QUAY ROAD L	5100-5180	0.30	
	LOUIS	QUAY ROAD 50	1500-1700	0.30	
	LOUIS	QUAY ROAD 51	1000-1100	0.40	
	LOUIS	QUAY ROAD I	4880-5100	1.00	
	LOUIS	QUAY ROAD 49	0850-0900	0.50	
	LOUIS	QUAY ROAD 62	1300-1400	1.00	
10/7/21	QUADE	QUAY ROAD AX	2400-2600	2.00	
	QUADE	QUAY ROAD AN	2500-2600	1.00	
	LARRY	QUAY ROAD 57	3200-3400	2.00	
	TONY	QUAY ROAD 96	0600-1000	4.00	
	TONY	QUAY ROAD L	9400-9600	2.00	
	LOUIS	QUAY ROAD O	5900-6000	1.00	
	LOUIS	QUAY ROAD O	6600-6750	1.45	
	LOUIS	QUAY ROAD 67	1400-1500	1.00	
10/11/21	QUADE	QUAY ROAD AN	2500-3000	5.00	
	LOUIS	QUAY ROAD U	6100-6400	3.00	
10/12/21	QUADE	QUAY ROAD 25	3900-4100	2.00	
	QUADE	QUAY ROAD AP	2500-2800	3.00	
	LOUIS	QUAY ROAD U	5980-6100	1.20	
	LOUIS	QUAY ROAD T	6300-6400	1.00	
	LOUIS	QUAY ROAD U	6400-6500	1.00	
	TONY	QUAY ROAD L	9000-9300	3.00	
	TONY	QUAY ROAD 96	1200-1300	1.00	
10/13/21	QUADE	QUAY ROAD AP	2800-3000	2.00	
	LOUIS	QUAY ROAD 65	1800-2000	2.00	
10/14/21	LOUIS	QUAY ROAD 65	2000-2100	1.00	
	TONY	QUAY ROAD M	9600-9800	2.00	
	TONY	QUAY ROAD 96	1100-1200	1.00	
	TONY	QUAY ROAD 62	3200-3300	1.00	
	TONY	QUAY ROAD AJ	6200-6300	1.00	
10/18/21	LOUIS	QUAY ROAD 66.5	2000-2200	2.00	
	LOUIS	QUAY ROAD U	6500-6650	1.50	
	LOUIS	QUAY ROAD N	6500-6800	3.00	
	LOUIS	QUAY ROAD 67	1500-1600	1.00	
	LOUIS	QUAY ROAD 67.7	1350-1400	0.35	
10/19/21	TONY	QUAY ROAD AH	6450-6750	2.86	
	TONY	QUAY ROAD 65	3200-3300	1.00	
10/21/21	TONY	QUAY ROAD J	9600-9850	2.50	
	TONY	QUAY ROAD 96	1000-1150	1.50	
10/28/21	TONY	QUAY ROAD AC	6800-7000	2.00	
	TONY	QUAY ROAD 69	2700-2800	1.00	
	TONY	QUAY ROAD 68	2800-2900	1.00	
	TONY	QUAY ROAD 65	2800-2900	1.00	
	LARRY	QUAY ROAD 47	1800-1900	1.00	
	LARRY	QUAY ROAD V	4800-4900	1.00	
	LARRY	QUAY ROAD 49	2000-2200	2.00	
	LARRY	QUAY ROAD 57	3200-3400	2.00	
			TOTAL	**92.11**	