

Meeting Minutes
Northeast Regional Planning Organization (NERPO)
Village of Cimarron
Philmont Scout Ranch-Training Center
Cimarron, New Mexico
August 28, 2008
10:29 a.m.

Meeting Attendees

NERPO Voting Members and Alternates:

Name	County	Title	Present/Absent
Les Montoya	San Miguel County	Voting Member	Present
Harold Garcia	San Miguel County	Alternate	Present
Carlos A. Ortiz, Jr.	City of Las Vegas	Voting Member	Present
Elmer Martinez	City of Las Vegas	Alternate	Absent
Miguel Martinez	Mora County	Voting Member	Absent
Peter Martinez	Mora County	Alternate	Absent
Bill Conley	Colfax County	Voting Member	Present
Leo Parker	Colfax County	Alternate	Present
Jennifer Sparaco	City of Raton	Voting Member	Absent
Pete Mileta, Jr.	City of Raton	Alternate	Absent
Linda Pavletich	Village of Cimarron	Voting Member	Present
Mindy Cahill	Village of Cimarron	Alternate	Present
Chuck Howe	Village of Angel Fire	Voting Member	Present
Al Lott	Village of Angel Fire	Alternate	Absent
Robert Casados	Harding County	Voting Member	Present
Jerry Porterfield	Harding County	Alternate	Absent
Shawn Jeffrey	Village of Mosquero	Voting Member	Present
Ray Vigil	Village of Mosquero	Alternate	Absent
June Mahoney	Village of Roy	Voting Member	Absent
Marshal Drake	Village of Roy	Alternate	Absent
Linda Lavender	Village of House	Voting Member	Absent
None	Village of House	Alternate	None
Larry Moore	Quay County	Voting Member	Absent
Richard Primrose	Quay County	Alternate	Absent
Leo Pacheco	Village of San Jon	Voting Member	Absent
Wade Lane	Village of San Jon	Alternate	Absent
Doug Powers	City of Tucumcari	Voting Member	Present
John Sutherland	City of Tucumcari	Alternate	Absent
Harry Staven	Town of Clayton	Voting Member	Present
Jimmie Taylor	Town of Clayton	Alternate	Absent

Richard Arguello	Union County	Voting Member	Present
Russel Kear	Union County	Alternate	Absent
Michelle Morrow	Village of Des Moines	Voting Member	Absent
Karen Bray	Village of Des Moines	Alternate	Absent
None	Village of Pecos	Voting Member	None
None	Village of Pecos	Alternate	None
Diane Brown	Village of Folsom	Voting Member	Absent
Mike Schoonover	Village of Folsom	Alternate	Absent
Mignon Saddoris	Village of Grenville	Voting Member	Absent
Lynn Wiseman	Village of Grenville	Alternate	Absent
Rose Kelly	Village of Logan	Voting Member	Absent
Larry Wallin	Village of Logan	Alternate	Absent
Joseph Campos	City of Santa Rosa	Voting Member	Absent
Maxine Rivera	City of Santa Rosa	Alternate	Present
Manuel Baca	Guadalupe County	Voting Member	Present
Yolanda Chavez	Guadalupe County	Alternate	Present
Leticia Torres	Town of Springer	Voting Member	Absent
Johnny L. Chavez	Town of Springer	Alternate	Absent
Billie Odum	Village of Eagle Nest	Voting Member	Present
Richard Cordova	Village of Eagle Nest	Alternate	Present
Sylvia Olson	Village of Maxwell	Voting Member	Absent
None	Village of Maxwell	Alternate	None
Benito Armijo	Village of Wagon Mound	Voting Member	Absent
Betty Medina	Village of Wagon Mound	Alternate	Present

NERPO Planner

Lesah R. Sedillo NCNMEDD

NMDOT Staff

Heather Sandoval NMDOT D-4 Assistant District Engineer
Rick Chavez NMDOT, GO/GRIP 2
Thomas Martinez NMDOT, D-4/LGRF

Guests

Glenn Boone-Village of Angel Fire
Alix King-Village of Wagon Mound
Donzil Worthington-Wilson & Company
David Brown-Village of Eagle Nest
Linda Perry-Village of Eagle Nest
Richard Rose-NMED
Melanie Delgado-NMED
Sam Ojinaga-DFA-LGD
Tony Duran-NMFA
Amy Linson-Village of Maxwell
Joe Mahoney-Dennis Engineering Company
Jess Yeargain-Village of Des Moines
Mark Micelli-City of Santa Rosa
Kelly Beagle-Union County

I. Call Meeting to Order

The Meeting was called to order at 10:29 a.m. by Chairman Robert Casados.

II. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Robert Casados.

III. Moment of Silence

Chairman Robert Casados asked for a moment of Silence.

IV. Welcome and Introductions:

The welcome was presented by Mayor Pavletich, Village of Cimarron. She thanked everyone for coming to the Philmont Scout Ranch, and apologized for all the confusion with the previous meeting location. She informed us that lunch would be provided in the Scout Ranch Dining Hall and there would be two tours for the Villa Philmonte. There would be one tour after lunch and one after the NERPO Meeting.

Today's Philmont Scout Ranch is a bustling center for high adventure and training. Waite Phillips gave 127, 395 acres of his vast Philmont Ranch near Cimarron, New Mexico to the Boy Scouts of America in two gifts, one in 1938 and one in 1941. Youth and adults take advantage of the ranch's camping, training, and work programs. Most activity takes place during the summer, but Philmont also offers its Fall Adventure and Kanik winter program.

More than 860,000 Scouts, Venturers, and leaders have experienced the adventure of Philmont since the first camping season in 1939. Throughout its existence, conscientious attention to low-impact camping techniques have helped maintain the ranch's wilderness flavor.

Individual introductions were conducted by each NERPO member.

V. Approval of the Agenda:

Mr. Carlos Ortiz from the City of Las Vegas made the motion to approve the agenda as submitted. Mr. Doug Powers from the City of Tucumcari seconded the motion. The motion carried and all voted in favor.

VI. Approval of the Minutes: (July 29, 2008, Maxwell, New Mexico)

Mr. Carlos Ortiz stated that there was an error on page 4 regarding correction of the wording right-of-way. Ms. Sedillo explained that the error was reported to Mr. Steve Henthorn.

Ms. Heather Sandoval also added some information that was left off of her report for District 4.

Mr. Harold Garcia also reported that on page 6 that NMML was left off as one of the speakers for the next meeting.

Mrs. Linda Pavletich from the Village of Cimarron made the motion to approve the minutes as amended. The motion was seconded by Mr. Bill Conley from Colfax County. The motion carried and all voted in favor.

VII. Department of Finance and Administration (Mr. Sam Ojinaga-DFA-LGD).

Mr. Sam Ojinaga, Deputy Director with the Department of Finance and Administration Local Government Division introduced himself to the NERPO Members. Mr. Ojinaga stated that they encourage communities to apply for CDBG and the CDBG Planning Grants within the Local Government Division. He reviewed the following information:

- The CDBG program will provide at least \$14 Million dollars in projects
- The Community Development Council also set aside \$500,000 for planning grants.
- The maximum for a planning grant is \$50,000 and \$500,000.00 for a CDBG project.
- A typical grant cycle will see 12 to 15 local governments awarded CDBG planning grants.

- There are a few requirements:

Comprehensive plans must be adopted by ordinance. That means these plans will have the force of law. In addition, comprehensive plans need to address greenhouse gas emissions due to various land use, economic development, housing, and transportation patterns. Software will be provided to help address this extra requirement.

- If the local government does not meet the 51% Low to Moderate Income (LMI) requirement, can they apply?

Yes, either by the slum and blight or the urgent need routes, although the latter has yet to be successfully used to justify a planning grant.

- How do we prove prevention or elimination of slum and blight?

By documenting within the application, how your project will address the following:

"Slum Area" as used in the Community Development Law (3-60-1 to 3-60-37 NMSA 1978) means an area in which there is a predominance of buildings or other improvements which are found by the local governing body by reason of 1) dilapidation, 2) deterioration, 3) age, or 4) obsolescence, 5) inadequate provision for ventilation, light, air, sanitation or open spaces, 6) overcrowding, 7) the existence of conditions which endanger life or property, or 8) any combination of such factors, to contribute to either ill health, the transmission of disease, infant mortality, juvenile delinquency or crime, and to be detrimental to the public health, safety, morals or welfare.

"Blighted Area" as used in the same law means an area, other than a slum area, which is found by the local governing body by reason of the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty low layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivisions or obsolete platting, or the existence of conditions which endanger life or property, or any combination of such factors to substantially impair or arrest the sound growth of the municipality, retard the provision of housing accommodations or constitute an economic or social liability and is a menace to the public health, safety, morals or welfare in its present conditions and use.

- **Can my community apply for another planning grant if there is an outstanding planning grant?**

If you have an outstanding planning grant, you can get a new application ready while closing out the grant. However, a new grant agreement will not be executed until the old grant is closed out. You can apply for a planning grant even if you have an outstanding construction grant.

There is a cash match of 5% of the grant award for rural and 10% for non rural.

You can apply for planning grants year round, though usually there are enough applications of merit arriving by early in the calendar year to award to entire set aside by April.

Comprehensive planning requirements:

All entities must have a current comprehensive plan. "Current" is defined as adopted or updated within the last five years.

The community must adopt the Comprehensive Plan. Upon Community Development Council adoption of 2007 regulations, all new plans funded with CDBG monies must be adopted by the local governing body by ordinance.

- **The following elements must be included in the comprehensive plan:**
- **The comprehensive planning process can be a powerful way for your community to devise its future, and not just react to others and outside events.**

The public through the process can help control the community's future, overcoming piecemeal decision making by linking planning and action. It can also restore the public trust in following through on plans many citizens volunteer to put together. It can allow civil discourse on many interrelated issues during the planning process that can reduce rancor later on when proposals are made to change the physical face of the community.

The elements that must be covered under the comprehensive plan:

- ❑ Land use
- ❑ Housing
- ❑ Transportation
- ❑ Infrastructure
- ❑ Hazards mitigation
- ❑ Water
- ❑ Economic development, and
- ❑ Implementation, a compilation of programs and specific actions to be completed in a stated sequence.

See the comprehensive plan template for more information:

<http://cpi.nmdfa.state.nm.us/cms/kunde/rts/cpinmdfastatenmus/docs/202764649-06-29-2006-15-56-30.pdf>

Mr. Ojinaga stated that if there are any entities experiencing problems with any type of reimbursements to give him a call at 827-8073.

Mr. Ojinaga stated that they are faced with a new issue regarding the Housing and Economic Recovery Act of 2008. He gave a brief update and stated that there are a lot of unknowns at this point with regards to the funding. They do have a very stringent deadline of 18 months with regards to the funding and will keep us informed. They will be working closely with NMFA, HUD, and the COG's in the near future.

Ms. Sedillo provided a copy of the summary of the Housing and Economic Recovery Act of 2008:

Summary of the "Housing and Economic Recovery Act of 2008"

A. Summary of the "Federal Housing Finance Regulatory Reform Act of 2008"

This legislation strengthens and modernizes the regulation of the housing government-sponsored enterprises – Fannie Mae and Freddie Mac (the enterprises) and the Federal Home Loan Banks (FHLBs or Banks) – and expands the housing mission of these GSEs. In addition, it creates a new program at FHA that will help at least 400,000 families save their homes from foreclosure by providing for new FHA loans after lenders take deep discounts.

I. Safety and Soundness Regulation of the Housing GSEs

The "Federal Housing Finance Regulatory Reform Act of 2008" establishes a new, independent, "world class" regulator for Fannie Mae, Freddie Mac, and the Federal Home Loan Banks, the housing government-sponsored enterprises (GSEs). The legislation endows this regulator with broad new authority, equivalent to the authority of other federal financial regulators, to ensure the safe and sound operations of the GSEs, including the power to:

establish capital standards; establish prudential management standards, including internal controls, audits, risk management, and management of the portfolio; enforce its orders through cease and desist authority, civil money penalties, and the authority to remove officers and directors; restrict asset growth and capital distributions for undercapitalized institutions; put a regulated entity into receivership; and review and approve (subject to notice and comment) new product offerings.

II. Mission Improvement

The new legislation also significantly enhances the affordable housing component of the GSEs' mission, and expands the number of families Fannie Mae and Freddie Mac (the enterprises) can serve by raising the loan limits in high cost areas (areas with median house prices that are higher than the regular conforming limit) to 150% of the conforming loan limit. Currently, this would be \$625,000.

For the enterprises, the legislation tightens targeting requirements of the affordable housing goals, and rewrites those goals to ensure that the enterprises provide liquidity to both ownership and rental housing markets for low and very-low income families. The legislation requires the enterprises to serve a variety of underserved markets, such as rural areas, manufactured housing, and the preservation market. The legislation improves reporting requirements for affordable housing activities, including the expansion of the public use data base, and strengthens the new regulator's ability to enforce compliance with the housing goals.

Finally, the legislation creates a new Housing Trust Fund and a Capital Magnet Fund, financed by annual contributions from the enterprises, which will be used for the construction of affordable rental housing. For the Federal Home Loan Banks (FHLBs), the legislation requires new affordable housing goals similar to those that apply to the enterprises for FHLB mortgage purchase programs. The legislation also requires the FHLBs to create a public use data base for such programs. Treasury-certified Community Development Financial Institutions (CDFIs) would become eligible to join FHLBs. Finally, community financial institution members of the FHLBs may use FHLB advances for community development purposes.

B. Summary of the "HOPE for Homeowners Act of 2008"

The "HOPE for Homeowners Act of 2008" creates a new, temporary, voluntary program within FHA to back FHA-insured mortgages to distressed borrowers. The new mortgages offered by FHA-approved lenders will refinance distressed loans at a significant discount for owner-occupants at risk of losing their homes to foreclosure. In exchange, homeowners will share future appreciation with FHA.

The program is built on **five principles**:

1. **Long-term affordability.** The program is built on the idea, expressed by Federal Reserve Chairman Bernanke, that creating new equity for troubled homeowners is likely to be a more effective way to avoid foreclosures. New loans will be based on a family's ability to repay the loan, ensuring affordability and sustainable homeownership.
2. **No investor or lender bailout.** Investors and/or lenders will have to take significant losses in order to benefit from the proceeds of the loans refinanced with government insurance. However, these losses would be less than the losses associated with foreclosure.
3. **No windfall for borrowers.** Borrowers will share their new equity and future appreciation equally with FHA. Borrowers will pay for the FHA insurance.
4. **Voluntary participation.** This will be a voluntary program. No lenders, servicers, or investors will be compelled to participate.
5. **Restore confidence, liquidity, and transparency.** Credit markets are fearful and frozen in part because banks and other financial institutions do not know what their subprime mortgages and related securities are worth. The uncertainty is forcing lenders to hoard capital and stop the lending necessary for economic growth. This program will help restore confidence and get markets flowing again.

Program Oversight. The new program will be overseen by a Board made up of the Secretary of HUD, the Secretary of the Treasury, the Chairman of the Federal Reserve Board, and the Chairman of the Federal Deposit Insurance Corporation (FDIC). The Board will have the authority to develop standards within the framework of the legislation.

Eligible Borrowers. Only owner-occupants who are unable to afford their mortgage payments are eligible for the program. No investors or investor properties will qualify. Homeowners must certify, under penalty of law, that they have not intentionally defaulted on their loan to qualify for the program and must have a mortgage debt to income ratio greater than 31 percent as of March 1, 2008. Lenders must document and verify borrowers' income with the IRS.

New Loan Amount. The size of the new FHA-insured loan will be lesser of the amount the borrower can afford to repay, as determined by the current affordability requirements of FHA; or, 90% of the current value of the home. Loans must be 30-year, fixed rate loans.

Equity & Appreciation Sharing. In order to avoid a windfall to the borrower created by the new 90% loan-to-value FHA-insured mortgage, the borrower must share the newly-created equity and future appreciation equally with FHA. This obligation will continue until the borrower sells the home or refinances the FHA-insured mortgage. Moreover, the homeowner's access to the newly created equity will be phased-in over 5 years.

Eligible Mortgages. In order to protect against adverse selection, the program prohibits the Secretary from paying an insurance claim whenever the representations and warranties required to be made by lenders are violated, or in cases in which a borrower has an early payment default and misses the first payment. The Act provides the Board the authority to establish other protections against adverse selection, such as requiring "seasoning" for certain higher risk loans before they can be insured under the program. Appraisers of property insured by FHA must be certified by the state where the property is located, or by a nationally recognized professional appraisal organization, and have "demonstrated verifiable education" in FHA appraisal requirements.

Existing Subordinate Liens. Before participating in this program, all subordinate liens must be extinguished. This will have to be done through negotiation with the first lien holder.

Qualified Safe Harbor. The legislation provides servicers with an incentive to participate in the program by offering a safe harbor against legal liability.

Program Size. The program is authorized to insure up to \$300 billion in mortgages and is expected to serve approximately 400,000 homeowners.

Program Sunset. The program will begin October 1, 2008 and sunset on September 30, 2011. CBO say the program will net nearly \$250 million for taxpayers. The program is paid for by using part of the Affordable Housing Trust Fund; the GSE bill provides a further \$2 billion cushion for the government by establishing a reserve fund at Treasury over ten years. If the program costs less than projected, the unused funds are returned to the Affordable Housing Trust Fund. If the program more than pays for itself (as was the case during the Roosevelt Administration), any excess savings are dedicated to reducing the national debt.

C. Summary of the "Foreclosure Prevention Act of 2008"

The Foreclosure bill passed by the Senate on April 10 contains the following provisions designed to address the problems faced by families and their communities in light of the foreclosure crisis:

FHA Modernization. To ensure that additional families can access the FHA program, which provides safe, fixed-rate mortgages, significant FHA reform is included to modernize, streamline and expand the reach of the FHA program. Under this bill, the FHA loan limit is increased from 95% to 110% of area median home price with a cap at 150% of GSE limit (currently, \$625,000), allowing families in all areas of the country to access homeownership through FHA. Down payments of 3.5% will be required for any FHA loan and counseling requirements are enhanced to help provide for stable homeownership.

• **Assisting Communities Devastated by Foreclosures.** Homes that have been foreclosed upon and are sitting unoccupied lead to declines in neighboring house values, increased crime and significant disinvestment. To ensure that communities can mitigate these harmful effects of foreclosures, \$3.92 billion is provided to communities hardest hit by foreclosures and delinquencies. These supplemental Community Development Block Grant Funds will be used to purchase foreclosed homes, at a discount, and rehabilitate or redevelop the homes to stabilize neighborhoods and stem the significant losses in house values of neighboring homes.

Providing Pre-Foreclosure Counseling for Families in Need. To help families avoid foreclosure, this bill provides \$150 million in additional funding for housing counseling. These funds will be distributed by the Neighborhood Reinvestment Corporation by the end of 2008 to ensure families can quickly get the help they need. As many as 250,000 additional families connect with their mortgage servicer or lender to explore options that will keep them in their homes as a result of these counseling funds. In addition, \$30 million is provided to help provide legal services to distressed borrowers.

Enhancing Mortgage Disclosure. To ensure that consumers are provided with timely and meaningful disclosures in connection with mortgages, the bill expands the types of home loans subject to early disclosures (within three days of application) under the Truth In Lending Act (TILA) including refinancings. The bill requires that disclosures be provided no later than 7 days prior to closing so borrowers can shop for another loan if not satisfied with the terms. The bill requires a new disclosure that informs borrowers of the maximum monthly payments possible under their loan, and also increases the range of statutory damages for TILA violations from the current \$200 to \$2000 to \$400 to \$4000.

Preserving the American Dream for Our Nation's Veterans. To assist returning soldiers avoid foreclosure, this bill lengthens the time a lender must wait before starting foreclosure from three months to nine months after a soldier returns from service and also provides returning soldiers with one year relief from increases in mortgage interest rates. In addition, the Department of Defense is required to establish a counseling program to ensure veterans and active service members can access assistance if facing financial difficulties. Also included is a provision that increases the VA loan guarantee amount, so that veterans have additional homeownership opportunities. The bill contains provisions to do the following: increase benefits paid to veterans with disabilities such as blindness for the purpose of adapting their housing; provide a moving benefit to servicemen and woman who are forced to move out of rental housing because the owner of the housing was foreclosed on; provide that veterans benefits received in a lump sum are treated the same for the purposes of eligibility for housing assistance as monthly benefits; and to allow the Veterans Administration to provide for improvements and structural alterations to homes of veterans with service-connected disabilities.

http://en.wikipedia.org/wiki/Housing_and_Economic_Recovery_Act_of_2008

Mr. Ojinaga stated that the Local Government Division deadline for submission of the ICIP is September 30, 2008. This is a very valuable planning document and one that is becoming utilized by many of the legislators. The State of New Mexico is striving to improve the way our legislative dollars are prioritized and spent. We know that 57% of the projects funded were in the ICIP and 25% were in the top 5 priorities. The State of New Mexico and the Governor are looking at the Regionalization of projects and getting the most efficient and effective use of our money statewide.

Ms. Sedillo asked Mr. Ojinaga to give an update with some of the most recent LFC Hearings regarding the Capital Outlay.

Mr. Ojinaga stated that there is a lot of Capital Outlay money not being expended, but a large problem that they have encountered was with re-authorizations. There are numerous entities that have requested re-authorizations to different State Agencies making it difficult to determine balances.

Mr. Les Montoya, San Miguel County asked if he could discuss the review from the Legal Staff regarding the use of Severance Tax Bonds and the Attorney General in regards to the Anti-Donation Issues. Mr. Ojinaga stated that the projects needed to have more review on the front end in order to address any possible issues with violations with Anti-Donation. He told Mr. Montoya that he could discuss these issues in more detail with San Miguel County.

Mr. Ojinaga stressed the importance of the certification of your Severance Tax Bonds. The entity receiving funds should be expending at least 15% of the money within the first 6 months and the balance of the 85% should be expended over the next 2 years. The State of New Mexico pays a fee for not utilizing the funds and has paid as much as \$11 Million dollars in fees.

VIII. New Mexico Environment Department (Richard Rose, Ph. D., P.E., DEE Bureau Chief & Staff):

Dr. Rose introduced himself and his staff Melanie Delgado to the NERPO Members. Dr. Rose explained that they want to simplify the process for Local Governments that need assistance for funding their Water and Wastewater projects. They will be discussing the Uniform Funding Application Process.

The Uniform Funding Application process anticipates a “pre-screening” of the applications to determine if urgent conditions exist, the nature of the project, the amount of money required, the ability of the applicant to complete the project, compliance with the laws and regulations, where in the process is the project, and potential sources of funding. A copy of the Pre-Screening Elements was provided to everyone in attendance and will be attached to the minutes.

After the pre-screening process, they develop an assistance schedule and 5-year plan and begin assistance to the system. Then they review for a PER or EID for the project with a detailed technical review of the project. It then goes to a process for Project funding recommendations. Then there is a funding package presentation and adoption and finally fund the project. The process will require a lot of oversight and constant review, dependent upon the amount of application received.

Executive Order 2007-050 signed by Governor Bill Richardson on October 31, 2007, created a Water Cabinet to unify the direction of all executive agencies responsible for water resources within the state including promoting interagency coordination of water and wastewater infrastructure funding. The Executive Order also established the Water and Wastewater Infrastructure Development Division (WWIDD) within the New Mexico Environment Department. The EO directs WWIDD to provide leadership for an interagency effort to develop and administer a uniform application process and provide recommendations for efficient and effective use of water and wastewater loan funds.

The electronic Uniform Funding Application was designed to provide a mechanism for applicants to fill out an infrastructure funding application which is common to all state and federal funding agencies that provide money for water and wastewater improvements. This single point of application is the first step in determining eligibility of applicants. The application will be reviewed by the following funding agencies:

New Mexico Environment Department
Water and Wastewater Infrastructure Development Division
PO Box 26110
Santa Fe, NM 87502
505.827.2837

For more information regarding the Clean Water State Revolving Loan Fund and the Rural Infrastructure Revolving Loan Fund available through NMED visit <http://www.nmenv.state.nm.us/cpb/cpbtop.html>. For more information regarding the Drinking Water State Revolving Loan Fund available through NMED visit <http://www.nmenv.state.nm.us/dwb/index.htm>.

New Mexico Department of Finance and Administration
Local Government Division
Bataan Memorial Building, Room 201
Santa Fe, NM 87503

For more information regarding the Community Development Block Grant funding program available through LGD visit <http://cdbg.nmdfa.state.nm.us/>.

New Mexico Finance Authority
207 Shelby Street
Santa Fe, NM 87502
1.877.275.6632

For more information regarding the funding programs available through NMFA visit <http://www.nmfa.net>.

US Department of Agriculture
Rural Development
6200 Jefferson NE
Albuquerque, NM 87109
505.761.4955

For more information regarding the funding programs available through USDA visit <http://www.rurdev.usda.gov/nm/rus.htm>.

Melanie Delgado reviewed in detail the application sections with the NERPO members.

<http://ufa.nmenv.state.nm.us>

The following five questions are required to submit an application:

Section A. Contact Information

Name	<input type="text"/>	*
Title	<input type="text"/>	
State Tax ID Number	unknown	* ##-#####
Mailing Address	<input type="text"/>	*
County	Please select	*
E-mail	<input type="text"/>	
Business Phone	<input type="text"/>	*

Provided are a few screens for the Summary, Compliance, and Financial Sections:

Section B. Summary Information

Section C. Compliance

Applicant has an Asset Management Plan	<input type="checkbox"/>
Proposed project involves water rights	<input type="checkbox"/>
Water rights file current with State Engineer's Office	<input type="checkbox"/>
Complete the linked form and forward for verification of water rights and water right compliance to: Office of the State Engineer Attn: Jim Sizemore Water Right Division PO Box 25102 Santa Fe, NM 87504-5102	

Section D. Financial Information

Estimated total project cost	<input type="text"/>	(no \$ or commas)
Monthly residential water charge for 6,000 gallons	<input type="text"/>	
Monthly commercial water charge for 6,000 gallons	<input type="text"/>	

Monthly residential wastewater charge for 6,000 gallons	<input type="text"/>
Monthly commercial wastewater charge for 6,000 gallons	<input type="text"/>
Copy of user rate ordinance for flat or tiered rate structure: Click the Browse button to search for and attach a document on your computer	

The New Mexico Environment Department/Construction Programs Bureau conducts a survey annually every spring for the Water and Sewer rates. They compare the rates charged for both water and sewer services for all incorporated municipalities throughout the state. Dr. Rose provided everyone with a summary and report of the 2007 Rates for Municipal Water and Sewer User. (Attached to the minutes)

Mr. Bill Conley, Colfax County asked if Non-Profits and the private sector could apply through the Uniform Application Process. Dr. Rose stated that the Non-Profits could apply, but we have to be careful with the Anti-Donation Clause.

Mrs. Shawn Jeffrey, Village of Mosquero asked if they were looking into the possibility of adding other funding agencies such as Fire. Yes, that is a possibility in the future.

Mr. Glenn Boone, Village of Angel Fire asked about the possibility of an application for a Wastewater Re-Use Project. He did invite them to submit an application for their project.

Chairman Robert Casados had a previous engagement and turned over the meeting to Vice-Chairman Richard Arguello.

**Acting Chairman Richard Arguello stated that we will now break for lunch.
Lunch 12:15**

IX. New Mexico Finance Authority (Mr. Tony Duran, Senior Financial Advisor):

Mr. Tony Duran, Senior Financial Advisor introduced himself to the NERPO Members. The NMFA is dedicated to improving the lives of the New Mexicans by planning and financing infrastructure, strengthening the economy through public/private partnerships and setting the standard for superior, diverse, innovative and solution-driven financing.

Mr. Duran also gave a brief history of the NMFA:

- **Leverage state and local expertise along with that of the NMFA staff to resolve long-term infrastructure needs for communities statewide**
- **Facilitate NMFA's public finance knowledge and local governmental awareness and share that information with our partner communities**
- **Since inception, the NMFA has financed over \$2 Billion in vital infrastructure, building and equipment projects across the State of New Mexico**
- **To date, the NMFA has a zero default rate on its loans!**

Mr. Duran informed everyone about the various programs offered by the NMFA:

- **Public Project Revolving Fund (PPRF)**
- **Water Trust Board**
- **Drinking Water State Revolving Loan Fund (DWRLF)**
- **Smart Money Initiative**
- **Local Government Planning Fund**
- **Primary Care Capital Fund (PCCF)**
- **Behavioral Health Capital Fund**
- **Child Care Facility Loan Fund**
- **Local Transportation Infrastructure Fund (LTIF)**

Mr. Duran gave a detailed presentation for each program and provided a package of the information for each member of the NERPO. (Copy attached to the minutes)

In closing, he informed the NERPO Members that the NMFA's Applications are now on-line! Access <https://myNMFA.net> to access.

The NMFA is excited about this new virtual application, as well as the promotion of greater efficiency among its participants.

The following is the contact information for the NMFA:

**New Mexico Finance Authority
207 Shelby Street
Santa Fe, New Mexico 87501
(505) 984-1454
Toll Free 1-877 ASK NMFA
Facsimile (505) 992-9644
www.nmfa.net**

Financing your future, believing in New Mexico! (A copy of the Presentation is attached to minutes)

Mr. Bill Conley, Colfax County asked if there is a pre-payment penalty on their loans. Mr. Duran stated that it depended on the time that the loan was executed, but could verify individual information for members.

X. Approval and support of Resolution 2008-02 LGRF:

Acting Chairman Richard Arguello stated that this issue was discussed many times. The New Mexico Association of Counties approved the following Resolution through their process to increase the funding for the Local Government Road Fund.

Mr. Harold Garcia stated that he and Chairman Casados had worked together through the New Mexico Association of Counties to get an increase in funding for the Local Government Road Fund. It was not the intent of the Counties to take any funding away from the Municipalities. He provided everyone with a copy of 67-3-28.2. Local Governments Road Fund created; uses. Mr. Garcia discussed the various percentages and the Road mileage category based on number of miles maintained by a county. Mr. Garcia wanted to clarify once again, that it was not their intent to take any funding away from the Municipalities. However, he understands that there are some concerns from the Municipalities.

Mr. Manuel Baca, Guadalupe County made a motion to approve and discuss Resolution 2008-02. The motion was seconded by Ms. Billie Odum, Village of Eagle Nest. The item was opened for discussion by Acting Chairman Richard Arguello. Mr. Carlos Ortiz stated that he would have to check with the NMML to see if there were any similar Resolutions. He is concerned about the language and wanted some clarification.

Ms. Sedillo stated that the NMML has the interest of the Municipalities and the NMAC has the interests of Counties and we could ask Mr. Fulginiti to review the Resolution on behalf of the Municipalities. It may be that we just need to add the Municipalities or pass a similar resolution for the Municipalities.

Mr. Les Montoya stated that once again it was not their intent to take any funding away from the Municipalities. The Resolution does not change any of the funding percentages, but increases the funding.

Ms. Maxine Rivera, City of Santa Rosa stated that the Resolution needed to be reviewed by the NMML and would like to see the motion amended to be tabled to the next NERPO meeting for clarification. Mr. Manuel Baca, Guadalupe County amended his motion to table Resolution 2008-02 with no opposition to the next NERPO Meeting. The motion was seconded by Ms. Billie Odum, Village of Eagle Nest. The motion passed and all voted in favor.

XI. Discussion of amendments to the NERPO BYLAWS:

Chairman Casados has not had the opportunity to meet with the committee members.

XII. Project Presentations:

There were no project presentations for this meeting

XIII. District Four Update and NMDOT Staff-Mr. Paul Gray, District Four Engineer and Ms. Heather Sandoval, Assistant District Engineer-Engineering:

Heather gave the following update for District 4:

Heather reminded everyone about the NMDOT Commission Meeting to be held on Thursday, September 18, 2008, in Las Vegas. Any entities wishing to address the Commission must send an e-mail to Heather and Christina at District 4 with their topic of discussion and speaker by **September 3, 2008!**

The FY 09 STIP Projects will be placed on hold until the Federal Bill is signed. This could be sometime in December or January and District 4 will keep everyone informed.

Ms. Janet Spivey, NMDOT Liaison was ill and unable to attend the NERPO Meeting.

Rick Chavez, NMDOT GRIP 2 Coordinator, stated that there are some entities with completed GRIP 2 projects, but needed to submit their reimbursements. He also reminded everyone of the importance of their monthly reporting on GRIP 2 projects. The Environmental Funding is still available through the NMFA, and only 5 entities have requested funding.

XIV. Update from NERPO Planner-Lesah R. Sedillo:

Acting Chairman Richard Arguello informed the NERPO Members that Mr. Henthorn has been very ill and does not have an update.

Ms. Sedillo provided the following report:

NERPO Planner Report
By Lesah R. Sedillo
August 28, 2008

General Information:

- *September 30, 2008-ICIP Deadline- All entities encouraged to call for personal Assistance-Sent previous e-mails with instructions for submission.*
- *September-SRTS Information will be available soon.*
- *October-Transit Application Rating and Ranking*
- *August 7-9, 2008, NMDOT/NEWMARC and the New Mexico First-Transportation Town Hall-Very Successful and will provide the report when available.*
- *August 13-15, 2008 Clovis, New Mexico Municipal League Conference-The New Mexico RPO's hosted a booth and showcased the Municipalities and Counties Transportation Projects. We will have a similar booth at the New Mexico Association of Counties Conference in January.*

NMDOT Commission Meetings in District 4:

- *August 21, 2008, NMDOT Transportation Commission Meeting in Angel Fire-Very Successful and well attended.*
- *September 18, 2008, NMDOT Transportation Commission Meeting in Las Vegas **September 3, 2008 Agenda Deadline***

TRAINING:

- *September 4, 2008, from 1-2 pm EDT Free-Webinar for complying with the new FHWA Regulation on High Visibility Garments. (Federal Aid projects)*
 - *September 10-11, 2008, Regional Asset Management Conference*
 - *September 18-19, 2008, New Mexico State Trails Conference in Albuquerque.*
 - *September 24-25, 2008, Media Relations and Public Information Officer Training hosted by District 4*
 - *October 28-30, 2008, 13th Annual NM Infrastructure Finance Conference in Albuquerque.*
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- *Remember to review your legislative agreements for expiration dates, so that we can be prepared for the next Legislative Session! We will discuss dates of PIF/Legislative Workshops in the near future.*

XIII. New Business:

A. General Comments and Announcements from NERPO Members:

Ms. Maxine Rivera, City of Santa Rosa stated that everyone is invited to the Pecos River Motorcycle Rally on September 5-7, 2008!

Ms. Sedillo stated that she would be happy to e-mail any information regarding events to all the NERPO Members!

Mr. Harry Staven stated that the Prison has stimulated the economy in Clayton!

Mayor Linda Pavletich informed everyone about the Fireworks Display that is scheduled for Saturday, August 30th at dusk for the Labor Day Weekend

celebration of Cimarron Days. Cimarron Days is scheduled for the 30th and 31st in Cimarron Village Park.

Mayor Billie Odum stated that the Bike Rally that they host in July was very successful.

Mr. Bill Conley stated that they were pleased to have the Racino coming to Raton, since this will bring approximately 300 jobs to the area and will be completed in May of 2010! It is very important that the GRIP 1 project on US 64 be completed!

B. Suggested agenda items for upcoming meetings:

Ms. Sedillo reminded everyone to request their presentation topics for future meetings.

C. Meeting Location Amendments

This is the following schedule for the NERPO Meetings:

- **September 17, 2008- San Miguel County-Las Vegas-NMML/NMAC**
- **October 23, 2008 -Village of Des Moines-Ports-to-Plains**
- **November 18, 2008-Village of Eagle Nest-NMDOT-ADA/NM Main Street**

XIV. Adjournment:

Mr. Les Montoya, San Miguel County made the motion to Adjourn. The motion was seconded by Mr. Bill Conley, Colfax County. The motion carried and all voted in favor.

The meeting adjourned at 2:46 p.m.