

**RESOLUTION 22-18**

**AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED  
APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO  
THE  
NEW MEXICO FINANCE AUTHORITY.**

**WHEREAS**, Luna County, New Mexico (“Governmental Unit”) is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 (“Act”), and the Board of Commissioners of Luna County (“Governing Body”) is authorized to borrow funds and/or issue bonds for financing of public projects for the benefit of the Governmental Unit; and

**WHEREAS**, the New Mexico Finance Authority (“Finance Authority”) has instituted a program for financing of projects from the public project revolving fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application (“Application”) for financial assistance from the Finance Authority for public projects; and

**WHEREAS**, the Governing Body intends to refund, refinance and defease the Governmental Unit’s outstanding \$3,245,000 Luna County, New Mexico Correctional Facility Gross Receipts Tax Revenue Bonds, Series 2017 (the “Refunding Project”) all for the benefit of the Governmental Unit and its residents; and

**WHEREAS**, the Governing Body intends to undertake the operating, maintaining, constructing, purchasing, furnishing, equipping, rehabilitating, expanding or improving of the judicial-correctional or county correctional facility or the grounds of a judicial-correctional or county correctional facility, including acquiring and improving parking lots, landscaping or a combination of the foregoing (the “2022 Project”) (the “Refunding Project” and the “2022 Project” collectively the “Project”) all for the benefit of the Governmental Unit and its residents; and

**WHEREAS**, the application prescribed by the Finance Authority has been completed and submitted to the Governing Body, and this resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

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

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing Body and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body, be and the same is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Finance Authority for its review, and are further authorized to take such other action as may be requested by the Finance Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 10th day of February 2022.

LUNA COUNTY, NEW MEXICO

By: Linda M. Smrkovsky  
Linda M. Smrkovsky, Chair  
Commissioner, District 2

ATTEST:  
Berenda McWright  
Berenda McWright,  
County Clerk

Barbara L. Reedy  
Barbara L. Reedy,  
Commissioner, District 1

John S. Sweetser  
John S. Sweetser,  
Commissioner, District 3

