



**VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2023-67**

**DISSOLUTION OF THE VALENCIA COUNTY FIRE ADMINISTRATION DISTRICT,
THE LOS CHAVEZ FIRE DISTRICT, THE TOMÉ-ADELINO FIRE DISTRICT,
AND THE VALENCIA DEL NORTE FIRE DISTRICT**

WHEREAS, the Valencia County Board of Commissioners met upon notice of a Business Meeting, duly published, at the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031 on Wednesday, September 6, 2023 at 5:00 PM as required by law; and,

WHEREAS, the New Mexico "Fire Protection Act," Section 59A-53-5, NMSA 1978 as amended, authorizes the County Commissioners of any county to establish one or more county fire districts within the county;" and,

WHEREAS, New Mexico Attorney General Opinion 80-35 states that "[i]ndependent fire districts were created solely for the purposes of allocating state funds for fire protection services. It was not intended by the Act that they be independent governmental entities or political subdivisions. That is they were not "formed or maintained for the more effectual or convenient exercise of political power within certain boundaries or localities, to whom the electors residing therein are, to some extent, granted power to locally self-govern themselves." Gibbany v Ford, 29 N.M. 621, 626, 225 P. 577 (1924). Having been granted no power or authority independent of that of the county, the ownership and control of all funds and property credited to independent fire districts, from whatever source, vests in the county" and,

WHEREAS, the Valencia County Fire Administration District, the Tomé-Adelino Fire District, the Los Chavez Fire District and the Valencia Del Norte Fire District were established and operated in the County of Valencia to protect the health, safety and property of the inhabitants of Playas community; and,

WHEREAS, this Board determined that the health, safety and welfare of the inhabitants of the County would be best served if the Valencia County Fire Administration District, the Tomé-Adelino Fire District, the Los Chavez Fire District and the Valencia Del Norte Fire District combined efforts, volunteers, and equipment to establish the Valencia County Fire Department and effectuated the consolidation on this day, September 6, 2023 with the adoption of Resolution 2023-67 ; and,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY, that Valencia County Fire Administraiton District, the Tomé-Adelino Fire District, the Los Chavez Fire District and the Valencia Del Norte Fire District are hereby dissolved.

BE IT FURTHER RESOLVED, that Resolution 2023- ~~67~~ consolidating the Valencia County Fire Administraiton District, the Tomé-Adelino Fire District, the Los Chavez Fire District and the Valencia Del Norte Fire District into the Valencia County Fire Department is hereby ratified and affirmed.

APPROVED, ADOPTED, and PASSED on this 6th day of September 2023.

BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY

Gerard Saiz, Chairman
District I

Troy Richardson, Commissioner
District II

Jhonathan Aragon, Vice-Chairman
District V

Morris R. Sparkman, Commissioner
District III

Joseph Bizzell, Commissioner
District IV

Attest:

Mike Milam, County Clerk

