

TOWN OF KIRTLAND
RESOLUTION NO 2022-10

A RESOLUTION/PETITION REQUESTING THE COUNTY
SPECIAL DISTRICT COMMISSION TO APPROVE
THE DISSOLUTION OF THE VALLEY
WATER AND SANITATION DISTRICT

WHEREAS, the Town of Kirtland was incorporated in 2015 as a mayor-council form of government; and

WHEREAS, the District Court of the Eleventh Judicial District, San Juan County approved the formation of the Valley Water and Sanitation District (VW&SD") ; and

WWHEREAS, NMSA 1978 Section 4-53-6 provides a mechanism for the dissolution of special districts within the County; and

WHEREAS, the Board of Directors of the VW&SD was set at five members; and

WHEREAS, from its very beginning, the VW&SD experienced difficulties in attracting people to serve on the Board of Directors of VW&SD; and

WHEREAS, from the beginning and continuing to this date, the majority of the Board members of the VW&SD have also been members of the governing body of the Town of Kirtland; and

WHEREAS, the Town of Kirtland has recently adopted a local gross receipts tax, the intent of which is to fund operations of a Town water and sanitation department; and

WHEREAS, the Town is fully capable of assuming the duties and responsibilities of the VW&SD; and

WHEREAS, the dissolution of the VW&SD and transfer of all VW&SD assets to the Town would be in the best interests of the residents of the area served by the VW&SD; and

WHEREAS, there is no objection to the dissolution of the VW&SD from the current Board of VW&SD; and

WHEREAS, the Town of Kirtland can provide services more effectively and more economically; and

WHEREAS, there is no longer a need for the service provided by VW&SD.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF KIRTLAND, that the County Special District Commission shall direct the county clerk to notify the governing body of the City of Farmington and the Board of County Commissioners for San Juan County of this Petition, and provide each with a copy of this Petition; and

BE IT FURTHER RESOLVED, that: the County Special District Commission shall publish an announcement of this Petition and notice of intention to hold a public hearing on the proposed dissolution of the VW&SD,

BE IT FURTHER RESOLVED, that the hearing shall be held not less than twenty nor more than forty days from receipt of the notification of the proposal to dissolve the VW&SD.; and

BE IT FURTHER RESOLVED, that, at the conclusion of the hearing, the County Special District Commission orders the dissolution of the VW&SD; and

BE IT FURTHER RESOLVED, that the County Special District Commission order the transfer of all the assets of the VW&SD to the Town of Kirtland.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2022.

APPROVED:

Honorable Mark Duncan
Mayor, Town of Kirtland

ATTEST:

Lou Ann M. Davis
Town Clerk, Town of Kirtland

(SEAL)

Moved by: _____
Seconded by: _____

VOTE:	Yes	No
Councilor Alex C. Uhl	___	___
Councilor Larry E. Hathaway	___	___
Councilor Jason T. Heslop	___	___
Councilor Tyrone Austin	___	___