

The Regular Meeting of the McKinley County Electric Generating Facility Economic District Authority and via electronic meeting services, with the following present: Marvin Magee; Rhonda Mitchell; Tony Tanner; Anthony Dimas Jr.; Doug Decker - McKinley County Attorney; David Bucholtz - Attorney for Tri State; Evan Williams - COG; Luis Carrasco - Attorney for Tri State.

The meeting was convened at 1:00 pm and called to order by Anthony Dimas Jr. Roll Call was taken.

Rhonda Mitchell - present; Tony Tanner - present; Marvin Magee - present; Anthony Dimas Jr. - present.

The Pledge of Allegiance was led by Anthony Dimas Jr.

Consent Agenda: This item is placed on the agenda so that the Authority can designate by unanimous consent those routine items that they wish to be approved by one motion. If a Authority Member or if a citizen so requests, it will be heard individually as a separate item. Motion to approve item(s) 1-2 on the consent agenda.

1. Approval of agenda:
2. Approval of minutes: none - inaugural meeting

Marvin Magee made a motion to approve Items 1 and 2 on the consent agenda. Rhonda Mitchell seconded the motion. Motion Carried.

Rhonda Mitchell "Said Yes", Tony Tanner "Said Yes", Marvin Magee "Said Yes", Anthony Dimas Jr. "Said Yes". None - Opposed.

#### DISCUSSION ITEMS:

3. Presentation of history of how we got to the creation of the Authority
  - a. Evan Williams - Executive Director: Northwest NM Council of Governments

Evan Williams presented the Background Briefing on the creation of the Authority based on a lot of work over a number of years. This initiative of the House Memorial 72/41 (HM 72/41) was based on a number of issues going on with the surrounding of McKinley County. The main purpose of the HM 72/41 Initiative was to sustain Escalante Generating Station as long as possible; Sustain, find markets, value-adds, and expand McKinley Paper and Lee Ranch/El Segundo mines; Diversify economies for Cibola and McKinley County; Capitalize on skill-sets of existing workforce; Capitalize on existing infrastructure assets; Build bi-county regional public-private partnerships.

## ACTION ITEMS:

Tony Tanner made a motion to move up action Item 10. Anthony Dimas seconded the motion. Motion Carried.

Rhonda Mitchell "Said Yes", Marvin Magee "Said Yes", Tony Tanner "Said Yes", Anthony Dimas Jr. "Said Yes". None - Opposed.

10. Discussion and approval of meeting location and possible renting of space for the Authority.

Marvin Magee made a motion to set the primary location at NMCOG for the meeting location for now. Rhonda Mitchell seconded the motion. Motion Carried.

Marvin "Said Yes", Rhonda Mitchell "Said Yes", Tony Tanner "Said Yes", Anthony Dimas Jr. "Said Yes". None - Opposed.

4. Presentation, Discussion and Approval: Resolution #2020-DEC-001 Open Meetings Act, NMSA 1978, Sections 10-15-1 to 4 (1974, as amended through 2013).

Luis Carrasco - Tri State; presented and discussed the Open Meetings Act, NMSA 1978. McKinley County Electric Generating Facility Economic District Board agreed to meet the fourth Tuesday of the month at 9 o'clock am.

Marvin Magee made a motion to subject to the changes discussed and finalize Resolution #2020-DEC-001. Tony Tanner seconded the motion.

Rhonda Mitchell "Said Yes", Tony Tanner "Said Yes", Marvin Magee "Said Yes", Anthony Dimas Jr. "Said Yes". None - Opposed.

5. Presentation, Discussion and Approval: Bylaws of the McKinley County Electric Generating Facility Economic District.

Luis Carrasco presented the bylaws of the McKinley County Electric Generating Facility Economic District.

Marvin Magee made a motion to adopt Bylaws of the McKinley County Electric Generating Facility Economic District as presented. Rhonda Mitchell seconded the motion. Motion Carried.

Tony Tanner “Said Yes”, Marvin Magee “Said Yes”, Rhonda Mitchell “Said Yes”, Anthony Dimas Jr. “Said Yes”. None - Opposed

6. Presentation, Discussion and Approval: Resolution #2020-DEC-002 Authorizing Cibola County to become part of the McKinley County Electric Generating Facility Economic District Authority (The “Authority”) and requesting that Cibola County appoint four additional members to the Authority.

Luis Carrasco presented Resolution #2020-DEC-002 and discussed why this Resolution is necessary.

Tony Tanner made a motion to approve Resolution #2020-DEC-002 Authorizing Cibola County to become part of the McKinley County Electric Generating Facility Economic District Authority (The “Authority”) and requesting that Cibola County appoint four additional members to the Authority. Marvin Magee seconded the motion. Motion Carried.

Rhonda Mitchell “Said Yes”, Marvin Magee “Said Yes”, Tony Tanner “Said Yes”, Anthony Dimas Jr. “Said Yes”. None - Opposed.

7. Presentation, Discussion and Approval: Resolution #2020-DEC-003 Inspection of Public Records Act (IPRA), NMSA 1978, Sections 14-2-1 to 12 (1947, as amended through 2019) (the “Act”), states that, except for certain types of records enumerated therein or where otherwise provided by law, every person has a right to inspect public records of the State of New Mexico (the “State”).

Luis Carrasco presented and discussed Resolution #2020-DEC-003 Inspection of Public Records Act (IPRA), NMSA 1978, Sections 14-2-1 to 12.

Marvin Magee made a motion to adopt Resolution #2020-DEC-003 Inspection of Public Records Act (IPRA), NMSA 1978, Sections 14-2-1 to 12 (1947, as amended through 2019) (the “Act”), states that, except for certain types of records enumerated therein or where otherwise provided by law, every person has a right to inspect public records of the State of New Mexico (the “State”). Tony Tanner seconded the motion. Motion Carried.

Marvin Magee “Said Yes”, Tony Tanner “Said Yes”, Rhonda Mitchell “Said Yes”, Anthony Dimas Jr. “Said Yes”. None - Opposed.

8. Discussion and Approval of controlling board member until Executive Director is appointed to take care of day-to-day operations.

Board nominated Interim Board Members; Marvin Magee as Interim Chair, Rhonda Mitchell as Interim Vice Chair, and Anthony Dimas Jr. as Interim Secretary/Treasurer. With these nominations in Interim status, the Authority Board.

Tony Tanner made a motion to approve the interim board members appointed. Marvin Magee seconded the motion. Motion Carried.

Rhonda Mitchell “Said Yes”, Tony Tanner “Said Yes”, Marvin Magee “Said Yes”, Anthony Dimas Jr. “Said Yes”. None - Opposed.

9. Discussion and approval of budget preparation, banking, and accounting needs, i.e. treasurer.

Anthony Dimas Jr. and Doug Decker discussed the budget preparation, banking, and accounting needs with the Authority. No Action Taken.

11. Discussion and approval for the need of staff or consultants to do staff work.

Item #11 was tabled until next meeting.

12. Discussion and approval for the next meeting and setting regular meetings.

This item was previously discussed in Item #4 on the Consent Agenda.

#### Announcements:

Next Authority Meeting  
Adjournment

With no other business to come before the Board of McKinley County Electric Generating Facility Economic District Authority, Marvin Magee made a motion to adjourn. Rhonda Mitchell seconded the motion. Motion Carried.

Rhonda Mitchell “Said Yes”, Marvin Magee “Said Yes”, Tony Tanner “Said Yes”, Anthony Dimas Jr. “Said Yes”. None - Opposed.

Meeting was adjourned at 3:03 p.m. on December 28<sup>th</sup>, 2021.