



RESOLUTION NO. 2010-17

A RESOLUTION AUTHORIZING STORAGE OF ROAD EQUIPMENT AND MACHINERY ON PRIVATE PROPERTY FOR SAFEKEEPING AND SECURITY

WHEREAS, Torrance County encompasses 3,346 square miles, and approximately 1,000 miles of County-maintained roads; and,

WHEREAS, County-maintained roads are split into 10 individual districts, each of approximately 100 square miles; and,

WHEREAS, each road district has a specific blade operator, responsible for maintaining the roads in that district; and,

WHEREAS, in order to keep the road machinery or equipment in each district, as close as possible to those roads on which it is to be used, as well as close to the operator, it is often necessary and convenient to house the machinery or equipment on private property; and,

WHEREAS, housing the machinery or equipment close to the required area of service expedites the response times, as well as saves the County money on fuel; and,

WHEREAS, an exchange of services between the County and a private property owner ensures compliance with the Anti-Donation Clause of the New Mexico Constitution by providing adequate consideration for any services provided to the private landowner;

NOW THEREFORE BE IT RESOLVED, in exchange for safeguarding and allowing County machinery and equipment to be parked off County property, and on private property, the operator may repair damage created by the machinery or equipment, as well as remove snow, within reason, on the private property where it is housed.

BE IT FURTHER RESOLVED, the County prohibits housing equipment on private property owned by County staff, unless an absolute emergency exists, which shall be determined by the Torrance County Manager.

PASSED, APPROVED AND ADOPTED this 28th day of April 2010.

TORRANCE COUNTY BOARD OF COMMISSIONERS

Jim Frost

Jim Frost, Chairman

Tito Chavez

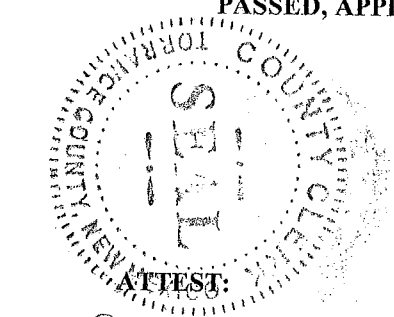
Paul M. "Tito" Chavez, Member

Venessa Chavez-Gutierrez

Venessa Chavez-Gutierrez, Member

April 28, 2010

Date



Linda Kayser

Linda Kayser, County Clerk