

**Resolution # 2012-30**

**RESOLUTION FINDING A DECEDENT TO BE INDIGENT OR UNCLAIMED AND AUTHORIZING PAYMENT FOR THE BURIAL OR CREMATION OF AN INDIGENT PERSON, AS DEFINED IN SECTION 24-13-2 NMSA 1978, OR OF AN UNCLAIMED DECEDENT, AS DEFINED IN SECTION 24-13-1 NMSA 1978.**

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, the Torrance County Board of County Commissioners may authorize payment for the burial or cremation of an indigent person, as defined in Section 24-13-2 NMSA 1978 or of an unclaimed decedent, as defined in Section 24-13-1 NMSA 1978; and

**WHEREAS**, pursuant to Section 24-13-3 NMSA 1978, the burial or cremation expenses may be paid by the County out of the general fund or the County indigent hospital claims fund in an amount up to six hundred dollars (\$600) for the burial or cremation of any adult or minor; and

**WHEREAS**, pursuant to Section 24-13-1 NMSA 1978, a dead person whose body has not been claimed by a friend, relative or other interested person assuming the responsibility for and expense of disposition shall be considered an unclaimed decedent; and

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, if the County pays expenses for burial or cremation, all available assets of the decedent shall be used to reimburse the County and/or, if the decedent left an estate, the decedent's estate shall reimburse the County; and

**WHEREAS**, pursuant to Section 24-13-2 NMSA 1978, a deceased person shall be considered to be an indigent for purposes of this resolution if his estate is insufficient to cover the cost of burial or cremation; and

**WHEREAS**, pursuant to Sections 24-13-1 and 24-13-3 NMSA 1978, it is the duty of the Torrance County Board of County Commissioners to cause to be decently interred or cremated the body of any unclaimed decedent or indigent person known to have been a resident of Torrance County; and

WHEREAS, Riverside Mortuary has informed Torrance County that Mr. Patrick Quillen is deceased, his body is at Riverside Mortuary, and his body has not been claimed by a friend, relative or other interested person assuming the responsibility for and expense of disposition of his body; and

WHEREAS, Mr. Quillen is known to have been a resident of Torrance County.

NOW, THEREFORE, BE IT RESOLVED, that the Torrance County Board of County Commissioners hereby:

1. FINDS:


- a. that the decedent, Mr. Quillen, was a resident of Torrance County;
- b. that Mr. Quillen is an unclaimed decedent; and
- c. that if, Mr. Quillen's estate is insufficient to cover the cost of burial or cremation, then Mr. Quillen is an indigent decedent;

2. AUTHORIZES:

- a. the payment, in an amount not to exceed to six hundred dollars (\$600), for the burial or cremation of the body of Mr. Quillen;
- b. the Torrance County Manager to seek reimbursement from Mr. Quillen's estate for reimbursement for the burial or cremation expenses, unless Mr. Quillen's estate is insufficient to cover the cost of burial or cremation; and
- c. if Mr. Quillen is cremated, that his remains be stored by Torrance County for no less than 2 years in a manner that allows the identification of his remains.

DONE at Estancia, New Mexico, Torrance County this \_\_ day of August, 2012.

Attest:

  
Linda Kraper by [Signature]  
County Clerk

TORRANCE COUNTY COMMISSION

Venessa Chavez Gutierrez, Chair

[Signature]  
Lonnie Freyberger

[Signature]  
Leann Tapia