



**RESOLUTION № 2022- 40**

**REQUESTING THE STATE OF NEW MEXICO MEET ITS LEGAL RESPONSIBILITY TO  
ADEQUATELY FUND ITS OLDER AMERICAN PROGRAMS**

**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, April 20, 2022, at 5:00 PM as required by law; and,

**WHEREAS**, NMSA, 1978, Section 4-38-18 (1976) provides that a Board of County Commissioner has the duty and authority “[t]o represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law; and,

**WHEREAS**, NMSA 1978, Section 4-37-1 (1995) provides that Counties have the power to, “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants”; and,

**WHEREAS**, the Board is responsible for fiscal oversight of the County and as its legislative body is responsible for creation and administration of its budget in order to provide the necessary services to the County’s inhabitants, See NMSA 1978, Section 4-38-16 (1876) and Section 6-10-8 (1987); and,

**WHEREAS**, Citizens ages 65 and older represent 18% of the entire population in New Mexico; and,

**WHEREAS**, the older adults in Valencia County play an important role by continuing to contribute experience, knowledge, wisdom, and accomplishments; and,

**WHEREAS**, our older adults are active community members involved in volunteering, mentorship, arts, culture, and civic engagement that enriches the lives of all other community members; and,

**WHEREAS**, through a lifetime of contribution, older adults have helped ensure that the founding promise of our country remains within reach for their children and grandchildren, and their individual narratives reflect the extraordinary history of our Nation; and,

**WHEREAS**, Congress passed the Older Americans Act (OAA) in 1965 in response to concern by policymakers about a lack of community social services for older persons. The legislation established authority for grants to states for community planning and social services, research and development projects, and personnel training in the field of aging; and,

**WHEREAS**, the NM Legislature established the NM Aging and Long Term Services Department to develop programs and services to implement services for the elderly and administer funds from the federal government received pursuant the OAA; and,

**WHEREAS**, Older American programs are the legal responsibility of the Federal Government and the State of New Mexico and is not the statutory responsibility of New Mexico Counties; and,

**WHEREAS**, Counties have contracted with the State to provide Older American Programs because counties value their seniors and want to ensure that they receive the services they deserve; and,

**WHEREAS**, one of the best measures of a society is how it treats its older citizens and our State has an obligation to make sure our older adults can enjoy the opportunities that come with aging; and,

**WHEREAS**, year after year the State has continually failed to adequately fund its Older American programs and the counties have made up the difference; and,

**WHEREAS**, in FY 2021-22 the County of Valencia has subsidized the State's program by \$354,378.00 and in the past 5 years has supplemented the State's program in the amount of \$1,641,232.00; and,

**WHEREAS**, this subsidy does not take into account the hundreds of thousands of dollars of in kind services provided to the State including providing buildings and administration; and,

**WHEREAS**, New Mexico lawmakers in the 2022 30-day legislative session approved a historic \$8.72 billion budget crafted with record surplus and federal aid, yet they failed to adequately fund the Older American Programs they are legally required to administer; and,

**WHEREAS**, the County, as a contractor to the State of New Mexico for senior programs, should not be subsidizing the State as this subsidy leaves inadequate funding for the County's statutorily mandated responsibilities which include providing law enforcement, detention, safe roads, a courthouse for the state judiciary and dozens of other statutorily mandated programs and services; and,

**WHEREAS**, the State has taken advantage the County's dedication seniors knowing that the County will make up the State's lack of funding, however this is no longer sustainable with the County's limited budget, especially considering the State has a record budget; and,

**WHEREAS**, the State should take care of its seniors before it funds non-essential programs or programs that are not required by law; and,

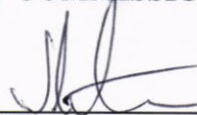
**NOW, THEREFORE, BE IT RESOLVED** that Board of County Commissioners of Valencia County calls upon the Legislature to meet its legal responsibility to adequately fund the Older American Programs to honor our older adult's enduring contributions to our society and safeguard the rights, services and the opportunities they deserve.

**BE IT RESOLVED FURTHER RESOLVED** that the County Manager is directed to provide a copy of this resolution to the County's legislative delegation and Governor Michelle Lujan Grisham.


**APPROVED, ADOPTED AND RESOLVED** this 20<sup>th</sup> day of April 2022.


**BOARD OF COUNTY COMMISSIONERS**


  
\_\_\_\_\_  
Gerard Saiz, Chairman  
District I

  
\_\_\_\_\_  
Jhonathan Aragon, Vice-Chairman  
District V

  
\_\_\_\_\_  
Troy Richardson, Commissioner  
District II

  
\_\_\_\_\_  
David A. Hyder, Commissioner  
District III

  
\_\_\_\_\_  
Joseph Bizzell, Commissioner  
District IV

Attest:  
  
\_\_\_\_\_  
Mike Milam, County Clerk

