

Gerard Saiz, Chair, District I □ Jhonathan Aragon, Vice-Chair, District V □
Troy Richardson, District II □ David A. Hyder, District III □ Joseph Bizzell, District IV
Danny Monette, County Manager



County Commissioners

August 27, 2021

Agenda
1:00 P.M.

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Special Business Meeting
Valencia County Commission Chambers
444 Luna Ave.
Los Lunas, NM 87031

Please Silence all Electronic Devices

Masks required in all County Buildings

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda

Sponsorship does not indicate endorsement of a given topic

ACTION ITEM(S)

- 4) Consideration to Approve Resolution 2021-___: Opposing Vaccine Passports as a Requirement for Admission to the New Mexico State Fair and Mask Mandates for Youth Livestock Producers. Presenter: **County Attorney, Adren R. Nance**; Sponsor: **Vice-Chairman, Jhonathan Aragon**

NEXT COMMISSION MEETINGS

September 1, 2021 – Workshop – Universal Waste Systems @ 3:30 P.M. via Facebook Live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

September 1, 2021 – Business Meeting @ 5:00 P.M. via Facebook Live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

ADJOURN

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Valencia County Manager's Office at the Valencia County Administration Building, Los Lunas, New Mexico, (505) 866-2014 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Valencia County Manager's Office if a summary or other type of accessible format is needed.



**VALENCIA COUNTY
Board of County Commissioners
Agenda Request Form**



Commission Sponsor: Vice-Chairman, Jhonathan Aragon

Individual Making Request: Vice-Chairman, Jhonathan Aragon

Presentation at Meeting on: August 27, 2021

Date Submitted: August 24, 2021

Title of Request: Consideration to Approve Resolution 2021-___: Opposing Vaccine Passports as a Requirement for Admission to the New Mexico State Fair and Mask Mandates for Youth Livestock Producers

Action Requested of Commission:

Consideration to Approve Resolution 2021-___: Opposing Vaccine Passports as a Requirement for Admission to the New Mexico State Fair and Mask Mandates for Youth Livestock Producers

Information Background and Rationale:

The newest PHO, implementing a vaccine passport system, will prevent a large number of producers from being able to participate, even though those producers would otherwise follow COVID safe practices which have been proven to be effective in halting the spread. The American Civil Liberties Union (ACLU) writes that "[i]f a passport system makes it very easy to ask for and to provide proof of vaccination, it's likely that such requests will become overused as people get asked for credentials at every turn," "While there are legitimate circumstances in which people can be asked for proof of vaccination, we don't want to turn into a checkpoint society that outlasts the danger of COVID and that casually excludes people without credentials from facilities where vaccine mandates are not highly justified. The State Fair's passport system demonstrates the practical effect of the concerns raised by the ACLU. The World Health Organization (WHO) cautions that requiring children to wear masks affects their psychosocial needs and development milestones. The youth livestock shows are in open air environments where masks are not needed, moreover, masks are antithetical to the psychosocial environment of a junior livestock show.

What is the Financial Impact of this Request:

There is no financial impact to this request.

Legal:

Although as a technical point the Board of County Commissioners has no jurisdiction over the New Mexico State Fair, it has the general authority to do what it determines to be in the best interest of the County's people. With that authority the Board may request and suggest policy changes to the Governor and NM Department of Health with the adoption of this resolution.

(Adren Nance)

Finance:

Not applicable (*Loretta Trujillo*)

Purchasing:

Any purchases that may result from these funds in the future shall adhere to the VC Purchasing Policy Limits and the NM State Procurement Code

Not Applicable – Agenda Item Does Not Include the Purchase of Goods and/or Services

(Rustin Porter)

Procurement Complete as Described Below:

Do you recommend approval of this Agenda Request? **Yes** No

Are you seeking direction from the Commission on this Agenda Request? Yes **No**
If so, what?

Commissioner requesting this agenda item? **Yes** No
If yes, the Commission will need to discuss further.



VALENCIA COUNTY

RESOLUTION NO 2021-_____

OPPOSING VACCINE PASSPORTS AS A REQUIREMENT FOR ADMISSION TO THE NEW MEXICO STATE FAIR AND MASK MANDATES FOR YOUTH LIVESTOCK PRODUCERS

WHEREAS, the Board of County Commissioners of Valencia County, met upon notice of a duly published Business meeting on August 27, 2001 at 1:00 P.M. in the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031; 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, 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, the fair was first held in October 1881 originally referred to as the Territorial Fair, it became a State Fair in 1911 in anticipation of New Mexico's upcoming statehood; and,

WHEREAS, the fair was cancelled in 1917 due to World War I and was no re-instated until 1938 at its current location. The first State Fair in 1938 attracted about 64,000 visitors. By the 1960s, attendance had grown to over 500,000 annually and the grounds included "83 structures of varying sizes;" and,

WHEREAS, the New Mexico State Fair has been a favorite gathering place for New Mexicans to celebrate local food, competition, culture, creativity and our rich agricultural heritage, the New Mexico State Fair has consistently been in the top 5 ranked fairs in the nation based on affordability, programming and weather. The New Mexico State Fair is the Biggest Show in New Mexico, attracting over 500,000 annual attendees; and,

WHEREAS, youth livestock shows at the NM State Fair are an integral part of this State’s agricultural business and youth development as it builds character, creates discipline, teaches youth about agriculture and teaches sportsmanship; and,

WHEREAS, youth livestock producers depend on the State Fair as a venue to demonstrate their capabilities, moreover the funds received are critical to allowing these youth to pay for college; and

WHEREAS, officials cancelled the 2020 State Fair, for the first time since 1938, due to the COVID -19 pandemic, the cancellation was devastating to the youth livestock producers; and

WHEREAS, on August 17, 2021 Secretary of the Department of Health David Scrace issued a public health order (PHO0 in part requiring that persons who are eligible for the COVID-19 vaccine must show proof of being fully vaccinated to enter the grounds of the state fair which provides for very limited exceptions; and,

WHEREAS, this newest PHO, implementing a vaccine passport system, will prevent a large number of producers from being able to participate, even though those producers would otherwise follow COVID safe practices which have been proven to be effective in halting the spread; and

WHEREAS, the American Civil Liberties Union (ACLU) writes that "[i]f a passport system makes it very easy to ask for and to provide proof of vaccination, it's likely that such requests will become overused as people get asked for credentials at every turn," "While there are legitimate circumstances in which people can be asked for proof of vaccination, we don't want to turn into a checkpoint society that outlasts the danger of COVID and that casually excludes people without credentials from facilities where vaccine mandates are not highly justified; and,"

WHEREAS, the State Fair's passport system demonstrates the practical effect of the concerns raised by the ACLU; and,

WHEREAS, the World Health Organization (WHO) cautions that requiring children to wear masks affects their psychosocial needs and development milestones; and,

WHEREAS, the youth livestock shows are in open air environments where masks are not needed, moreover, masks are antithetical to the psychosocial environment of a junior livestock show; and,

NOW THEREFORE, BE IT RESOLVED, that the Valencia County Board of Commissioners, requests Secretary Scrace and Governor Lujan-Grisham repeal the vaccine passport requirement for entrance to the State Fair in order to maximize participation in this essential cultural event as the Fair can be a safe environment for all by simply requiring participants and spectators to follow well established COVID-19 safe practices.

BE IT FURTHER RESOLVED, that this Board requests, in the interest of the junior livestock producers, that the children not be required to wear masks while showing and participating in livestock events.

PASSED, APPROVED AND ADOPTED THIS 27th DAY OF AUGUST 2021.

BOARD OF COUNTY COMMISSIONERS

Gerard Saiz, Chair, District I

Jhonathan Aragon, Vice-Chair, District V

Troy Richardson, District II

David A. Hyder, District III

Joseph Bizzell, District IV

Attest:

Mike Milam, County Clerk