



VICTOR VIGIL

Mayor

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VILLAGE OF MOSQUERO

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DALLAS BAKER

Village Clerk

ROCKY MOXLEY

Utility Operator

RESOLUTION NO. 2026-20

A RESOLUTION ESTABLISHING A UNIFORM FEE SCHEDULE AND ADMINISTRATIVE PROCEDURES FOR COMPLIANCE WITH THE NEW MEXICO INSPECTION OF PUBLIC RECORDS ACT (IPRA)

WHEREAS, the Board of Trustees of the Village of Mosquero recognizes that a representative government is dependent upon an informed electorate, and that it is the fundamental policy of this state that all persons are entitled to the greatest possible information regarding the affairs of government; and

WHEREAS, NMSA 1978, Section 14-2-9 authorizes public bodies to charge a reasonable fee for providing copies of public records, provided that such fees do not exceed statutory limits; and

WHEREAS, the Village desires to establish a clear, standardized, and legally compliant fee structure that strictly aligns with the Inspection of Public Records Act to ensure consistency and transparency;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF MOSQUERO
NEW MEXICO:**

SECTION 1. DESIGNATION OF RECORDS CUSTODIAN

The Village Clerk, or their designated representative, is hereby affirmed as the official Records Custodian for the Village of Mosquero for the purposes of managing IPRA requests, maintaining tracking logs, and issuing responses in compliance with state law.

SECTION 2. ESTABLISHMENT OF FEE SCHEDULE

Pursuant to NMSA 1978, § 14-2-9, the following uniform fee schedule shall apply to all public records requests:

- **A. Printed/Paper Records: \$1.00 per page**
- **B. Electronic Records Sent via Email or File Transfer: No charge.**
- **C. Physical Storage Media:** If electronic files are specifically requested on a physical medium (e.g., CD, DVD, or USB flash drive), the charge shall be the **actual cost** of the storage device itself.
- **D. Delivery/Transmission Costs:** The **actual cost** of postage, shipping, or facsimile transmission if the requester asks for physical delivery.

SECTION 3. STATUTORY PROHIBITIONS AND LIMITATIONS

- **A. Search and Redaction Fees Prohibited:** The Village shall **not** charge any fee for the labor, time, or administrative costs associated with searching for, locating, retrieving, reviewing, or redacting public records.
- **B. Device Download Labor Exemption:** The Village may charge the actual cost of employee time required *only* for the technical process of downloading/burning data directly to a requested

physical storage media (CD/USB), calculated based on the hourly wage of the employee performing the download.

- **C. Format Limitations:** The Village is only required to provide electronic records in the file format in which they exist at the time of the request. The Village is not required to create new records or convert formats to satisfy a request.

SECTION 4. ADVANCE PAYMENT AND ACCEPTABLE METHODS

- **A. Advanced Payment Required:** The Records Custodian shall require full advance payment of all estimated duplication, media, and delivery fees before commencing the copying, downloading, or mailing of any public records. Records will not be duplicated or released until payment is received and cleared by the Village.
- **B. Cashless Policy:** The Village of Mosquero does not accept cash payments for public records requests. All fees must be paid using one of the following approved methods:
 1. Personal check, cashier's check, or business check (made payable to the Village of Mosquero).
 2. Money order.
 3. Credit card or debit card (subject to Section 5-B below).
- **C. Receipts:** A formal, itemized Village receipt detailing exact copy counts, media types, or postage costs shall be issued to the requester no later than 3 business days from receipt of payment.

SECTION 5. CREDIT CARD TRANSACTION FEES

- **A. Convenience Fees:** Payment by credit or debit card may be subject to a standard processing or convenience fee, as authorized by NMSA 1978, § 6-10-1.2, to cover the actual transaction costs charged by the Village's financial processor.

SECTION 6. SEVERABILITY AND EFFECTIVE DATE

If any section, subsection, sentence, or clause of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 30 day of July, 2026.



Victor Vigil, Mayor



ATTEST:

Dallas Baker, Village Clerk