

ADMINISTRATION
1101 NEW YORK AVENUE
ALAMOGORDO, NM 88310



WWW.CO.OTERO.NM.US
(575) 437-7427
(575) 443-2928

Resolution No. _____

**Resolution Opposing the
State's Unconstitutional
Health Orders**

Whereas, on August 17, 2021, the Governor of New Mexico and the New Mexico Secretary of Health issued its Public Health Emergency Order Clarifying that Current Guidance Documents, Advisories, and Emergency Public Health Orders Remain in Effect; and Amending Prior Public Health Emergency Orders to Impose Certain Public Health Measures which requires, *inter alia*, all individuals age 2 years and older to wear a mask or multilayer cloth face covering in all indoor public settings except when eating or drinking; and

Whereas, on August 17, 2021, the Governor of New Mexico and the New Mexico Secretary of Health issued its Public Health Emergency Order Requiring All School Workers Comply with Certain Health Requirements and Requiring Congregate Care Facility Workers, Hospital Workers, and Employees of the Office of the Governor Be Fully Vaccinated; and

Whereas, Otero County is authorized to make and publish resolutions necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of its inhabitants. NMSA 1978, Section 4-37-1; and

Whereas, every person, including the Board of County Commissioners, elected or appointed to any office has taken and subscribed to an oath or affirmation that he or she will support the constitution of the United States and the constitution and laws of the State of New Mexico and that he or she will faithfully and impartially discharge the duties of his or her office to the best of his or her ability. New Mexico Constitution, Article XX § 1; and

Whereas, the Board of County Commissioners fully supports Sheriff David Black; and

Whereas, these orders are unconstitutional, violating the rights of the people of New Mexico; and

Now, therefore, be it resolved by the Board of County Commissioners of Otero County, New Mexico, that:

1. The Board denounces the unconstitutional health orders issued by the Governor of New Mexico and the New Mexico Secretary of Health.
2. The Board declares that those officials who enforce or abide by these unconstitutional health orders violate their oaths of office and their duty to the people of New Mexico.

Passed September __, 2021.

THE BOARD OF COUNTY COMMISSIONERS
OF OTERO COUNTY, NEW MEXICO

Gerald Matherly, Chairman

Coy Griffin, Vice-Chairman

Vicky Marquardt, Commissioner

Robyn Holmes, County Clerk