

Public Hearing
May 6, 2019

The Colfax County Board of Commissioners met on this date in a Public Hearing in the Village of Eagle Nest Council Chambers with the following members present:

Bobby LeDoux, Chairman
Landon Newton, Vice-Chairman
Roy Fernandez, Member
Rayetta M. Trujillo, County Clerk
Mary Lou Kern, County Manager

Also present were: Fox Guinn, Mary Berglund, Todd Tatum, Jeanne Tatum, Roger Smith, Roger Hoyt, Edward Alcon, Cathy Coppy and Kathee Adams.

Chairman LeDoux called the Public Hearing to order at 10:00 a.m. Chairman LeDoux thanked the Village of Eagle Nest for the use of their building.

Commissioner Fernandez led the Pledge of Allegiance.

Commissioner Newton led the Salute to the New Mexico Flag.

Discussion during the Public Hearing included:

Chairman LeDoux stated the purpose of the Public Hearing was to discuss or receive any public input regarding the County implementation of the Lodgers Tax Ordinance 2019-02. He asked if anyone would like to address the Commission with respect to the agenda.

Jeanne Tatum addressed the Commission stating she was not in-favor of the ordinance. Ms. Tatum stated she has spent a few hours researching the internet for places to stay in the unincorporated area of the County. Ms. Tatum stated she got 300 hits, but most of them were in the incorporated areas of the County. Ms. Tatum stated she had some issues with sections of the Ordinance that was being discussed. Starting with Section 3 on page 3, she was concerned how the Lodgers Tax was going to be calculated from the GRT Report. Section 4 – Business License, she questioned if the businesses would have to have an occupational license along with a business license. Section 5, she also questioned the rate to be collected as it was not the 5% that had been previously mentioned by the commission. Ms. Tatum also questioned what classification the County was and was told Colfax County is a class B over. Ms. Tatum stated she felt the list of how the funds could be spent should be reviewed. She also asked how much would be collected. Ms. Tatum stated if this tax is added, she may lose business, as people save for years to take vacations and this tax may be a deterrent from her business.

Mr. Tatum questioned how it was going to be enforced and stated he felt only the honest people would pay.

Chairman LeDoux stated the tax is not costing the property owner anything, they were simply collecting the tax one month and submitting it to the County the following. Chairman LeDoux stated this is only a trial and if it did not work, corrections could be made.

Fox Guinn stated he is a property owner and the Village of Eagle Nest also has a Lodgers Tax Ordinance and the tax is just passed on to the customer.

Cathy Coppy of the Village of Eagle Nest stated the Village went through this for many years. Ms. Coppy stated most people don't break out the tax they just include it in the total. Ms. Coppy stated most businesses did not like the idea of collecting the tax but have gotten used to collecting and reporting the tax and making payment. Commissioner Newton asked if the Golden Eagle RV Park collects the Lodgers Tax. Ms. Coppy stated they do and if a rental is not longer than 30 days, the tax is collected.

Roger Smith questioned how many businesses in the unincorporated area are lodgers and if the NRA, Philmont and Vermejo would be collecting the tax. Mary Lou Kern stated there are six Lodgers that have an occupation license.

Roger Hoyte of Philmont stated that he encourages the County eliminate as much as the ambiguity as possible. He stated he felt Philmont should be exempt from the Ordinance as 99% of the business is modeled for the scouting in the back areas. Mr. Hoyt stated a better way to determine Lodgers Tax for Philmont is to classify the tax as unrelated income as most of their pricing includes housing along with food. Mr. Hoyt stated Philmont wants to be a strong supporter of the County and would like for any tax that is collected to come back to the unincorporated areas for advertising. Mr. Hoyt stated Philmont currently has its own advertising sources and would not request any funding for their advertising.

Tod Tatum stated he would like to thank Philmont for all their assistance with all the EMS they provide.

Chairman LeDoux stated if there was no further discussion he adjourned the Public Hearing at 10:40 a.m.



ATTEST:

COLFAX COUNTY BOARD OF COMMISSIONERS

Chairman

Vice-Chairman

Member

Rayellam Hoyte
Clerk of the Board