

VILLAGE OF ANGEL FIRE  
RESOLUTION 2021-42

A RESOLUTION APPROVING BUDGET ADJUSTMENT REQUEST(S)  
FOR FISCAL YEAR 2021-2022

WHEREAS, the New Mexico Department of Finance and Administration requires that budget changes affecting revenues, expenses, transfers, and cash balances of a department or fund be approved by the Governing Body, and

WHEREAS, said budget was adjusted on the basis of need and through cooperation with all user departments, elected officials, and other department supervisors, and

WHEREAS, changes in revenues, expenses, transfers, and cash balances must be reported as part of the Caselle and LGBMS financial reporting systems, and

WHEREAS, it is the majority opinion of this Governing Body that the adjusted budget meets the requirements as currently determined.

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Village of Angel Fire hereby adopts the **attached Budget Adjustment Request form(s)** and respectfully requests the approval from the Local Government Division of the Department of Finance and Administration.

PASSED, ADOPTED and APPROVED THIS 28th DAY OF SEPTEMBER, 2021.

  
\_\_\_\_\_  
Jo Mixon, MAYOR

ATTEST:

  
\_\_\_\_\_  
Terry Cordova, Village Clerk

**State of New Mexico - DFA Local Government Division**  
**Budget Adjustment Request - Fiscal Year 2021-2022 - Angel Fire (Village) - 0920202142**

Bar ID	Contact	Phone	Email	Status
11-78-0025				

**Details**

Fund	Department	Object Code	PreAdjusted Budget	Adjustment	Adjusted Budget
11000 General Operating Fund	0001 No Department	10104 State Required Reserve	451,880.00	833.33	452,713.33
11000 General Operating Fund	3001 Law Enforcement	51060 Salaries - Overtime	14,500.00	42,000.00	56,500.00
11000 General Operating Fund	3001 Law Enforcement	51800 Salaries - Other Wages	32,000.00	-32,000.00	0.00
20900 Fire Protection	0001 No Department	47100 State - Fire Marshal Allowment	246,558.00	113,004.00	359,562.00
20900 Fire Protection	3002 Fire Protection	54040 Maintenance & Repairs - Vehicles	35,000.00	125,000.00	160,000.00
20900 Fire Protection	3002 Fire Protection	68090 Supplies - Safety	45,000.00	125,190.00	170,190.00
21700 Recreation	0001 No Department	46800 Miscellaneous - Other	0.00	765,000.00	765,000.00
21700 Recreation	2002 General Administration	55030 Contract - Professional Services	0.00	24,272.00	24,272.00
21700 Recreation	2002 General Administration	59010 Debt Service - Principal Payments	94,000.00	637,067.00	731,067.00
21700 Recreation	2002 General Administration	59020 Debt Service - Interest Payments	20,000.00	25,051.00	45,051.00
52100 Joint Utility	6006 Joint Utility Authority	51900 Salaries - Other Wages	15,000.00	10,000.00	25,000.00
53500 Water Rights	0001 No Department	46300 Loan Proceeds	0.00	430,000.00	430,000.00
53500 Water Rights	2002 General Administration	55030 Contract - Professional Services	18,540.00	-18,540.00	0.00
53500 Water Rights	2002 General Administration	55998 Contract - Other Services	0.00	20,000.00	20,000.00
53500 Water Rights	6003 Water Utility Authority	55030 Contract - Professional Services	0.00	38,540.00	38,540.00
53500 Water Rights	6003 Water Utility Authority	59010 Debt Service - Principal Payments	65,000.00	447,081.00	512,081.00
53500 Water Rights	6003 Water Utility Authority	59020 Debt Service - Interest Payments	20,000.00	3,186.00	23,186.00

**Justification**

Compliance with Section 6-6-2, NMSA, 1978 compilation:

1. The requested budget adjustments were authorized at a scheduled Governing Body meeting open to the public on 2021-09-28
2. Justification should provide a sufficient explanation for budget adjustment. Backup documentation such as grant award letter or other documents requested by Budget and Finance Analysis, should be submitted on LGBMS.

**Approvals**

Name Jo Mixan Role Mayor Date 09-28-21

**INSTRUCTION: Salary Schedule**

This form includes formula references to applicable rates. The rates on column D through J should be reviewed to ensure accuracy with existing laws and rules.

Total Number of Full Time Employees: **10**  
 Total Salaries Budgeted: **\$ 402,292.36**  
 Average Salary Increase Budgeted: **\$ 2,444.10**

FORM S - 1  
 Detailed Personal Services Schedule (Rounded to Nearest Dollar)  
 Fund/Department: **Water - Wastewater 501**  
 FY: **2021-22**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)		
ACCOUNT	POSITION DESCRIPTION	GRADE/CAT	28% ADJ AS OF 7/1/20	ANNUAL SALARY	ON-CALL	FICA	MEDICARE	RETIREMENT	HEALTH INSURANCE EMPLOYER %	WORKERS' COMP. ASSESSMENT	WORKERS' COMP. PREMIUM	UNEMPLOYMENT INSURANCE 76% OF TAXABLE INCOME	TOTAL
	<b>PUBLIC UTILITIES SUPERINTENDANT</b>												
	AMOS TORRES 7/5	8A	0.00	860		54	13	85	0	0	4	5	1,028
	ADMINISTRATIVE ASSISTANT		0.00	61,987.58		3,843	898	6,075	0	10	316	134	94,453
	AMY MULHEISEN 4/4	4B	0.28	585		36	8	57	0	0	3	3	693
	UTILITY BILLING CLERK		20.09	41,781.21		2,680	606	4,095	0	10	213	181	70,817
	Joyce Friedl 60%	3B	0.24	297		18	4	28	0	0	2	2	351
	UTILITY FOREMAN		16.97	21,181.41		1,313	307	2,076	0	10	188	134	26,130
	ARWIN VASQUEZ 7/1	7B	0.33	695		43	10	68	0	0	4	4	823
	LEVEL 2 PLANT OPERATOR		23.86	49,628.55		3,077	720	4,884	0	10	253	134	89,600
	JOHN GREEN 4/3 (Relief/eng)	4B	0.26	548		34	6	54	0	0	3	3	649
	LEVEL 1 PLANT OPERATOR		18.81	39,129.79		2,426	657	3,835	0	10	200	134	67,480
	ROBERT STIRLING 2/4	3B	0.24	188		12	3	19	0	0	1	1	234
	LABORER (int)		16.97	35,802.34		2,189	512	3,460	0	10	180	134	62,975
	METER READER		0.22	458		28	7	45	0	0	2	2	645
	STEVE BATES 2/3	2B	0.21	440		27	6	43	0	0	2	2	522
	FIELD SUPERVISOR		15.12	31,453.51		1,950	456	3,082	0	10	160	134	44,555
	CHRIS CHAVEZ 4/3	4B	0.26	518		34	8	54	0	0	3	3	649
	LABORER (LP)		18.81	39,129.79		2,426	657	3,835	0	10	200	134	67,366
	LABORER (LP)		0.18	379		23	5	37	0	0	2	2	449
	Evening Multi-Assignment		13.00	27,048.74		1,677	392	2,551	0	10	136	134	48,125
	LABORER (LP)		0.16	366		23	5	36	0	0	2	2	433
	ASSIST MANAGER		12.55	26,128.28		1,620	379	2,551	0	10	133	134	43,501
	JULIE KILIAN 2/5 40%	3B	0.24	198		12	3	19	0	0	1	1	234
	Hourly		16.97	14,120.94		875	205	1,384	0	10	72	134	19,726
	TOTAL of equal budgeted amounts by Fund & Department			402,292		29,525	5,933	39,425	188,957	120	2,052	1,639	674,885

Rates are not on scale

Projected

Revision Approval:

*[Signature]*

Date: 09-28-21

**INSTRUCTION: Salary Schedule**

This form includes formula references to applicable rates. The rates on column D through J should be reviewed to ensure accuracy with existing laws and rules.

Total Number of Full Time Employees: **7**  
 Total Salaries Budgeted: **\$ 379,236.55**  
 Average Salary Increase Budgeted: **\$ 3,425.50**

FORM S - 1  
 Detailed Personal Services Schedule  
 (Rounded to Nearest Dollar)  
 Fund/Department: **101-22 Police**  
 FY: **2024-22**

(A) ACCOUNT	(B) POSITION DESCRIPTION	LWT	CLASS	RANGE	CURRENT RATE	(D) ANNUAL SALARY Bi-weekly x 26	STANDBY	PICA	MEDICARE	RETIREMENT	HEALTH INSURANCE EMPLOYER %	WORKERS' COMP.	WORKERS' COMP. PREMIUM	UNEMPLOYMENT INSURANCE 2.8% OF	TOTAL									
																(C) #	(E) #	(F) #	(G) #	(H) #	(I) #	(J) #		
3) Bi-weekly or Monthly Salary	POLICE CHIEF	9A			0.00	1,194	0.00	74	17	226	0	0	62	6	1,579									
	BRAID MCCASLIN 915				0.00	85,294.49		5,288	1,237	16,121	21,188	10	4,427	134	133,095									
	J.D. HARVEY 716				0.42	865	162	54	15	164	0	0	45	5	1,310									
	Melvin Cooper				0.32	688	150	41	12	126	0	0	35	4	1,037									
	GLENN HEARLS 516				0.34	696	131	43	12	132	0	0	36	4	1,056									
	TOM HICKS 516				0.34	696	131	43	12	132	0	0	36	4	1,056									
	LINDA ARTHUR 415				0.29	603	0.00	37	9	114	0	0	31	3	797									
	ANN MARTINEZ 313				0.25	510	0.00	32	7	56	0	0	26	3	674									
	COMMUNITY SERVICE OFFICER				0.25	510	0.00	32	7	56	0	0	26	3	674									
	Hourly				17.51	36,414.23	0.00	2,258	516	6,982	21,198	10	1,980	134	63,304									
TOTAL equal budgeted amounts by Fund & Department															379,236	41,556	23,513	6,102	71,576	102,370	70	19,682	989	645,212

Rates are not on scale

FULL-TIME EMPLOYEES	32,000
TEMPORARY EMPLOYEES	14,500
TERMINAL LEAVE PAY	29,815
STANDBY DUTY PAY	71,676
OVERTIME	102,370
FICA & MEDICARE TAXES	70
PERA	
HEALTH CARE BENEFITS	
WORKERS' COMP ADMIN FEE	

Projected 2,022  
 379,236

to date

Revision Approval:

Date:

034,532 21 Cur Bud

10,678 Difference Cu

10,679 Bud Adju

Standby  
 Hours pr  
 Week

# THE ANGEL FIRE POLICE DEPARTMENT SCHEDULE - MONTH YEAR

LATEST UPDATE: 9/17/2021 11:20 AM

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
AF-1 MCCASLIN	10/04/2021 08:00 - 16:00	10/05/2021 (02:00) 08:00 - 16:00	10/06/2021 (02:00) 08:00 - 16:00	10/07/2021 08:00 - 16:00	10/08/2021 08:00 - 16:00	10/09/2021 OFF	10/10/2021 OFF	on call hours 10
AF-2 HARVEY	OFF	07:00 - 17:00	07:00 - 17:00	(05:00) 07:00 - 17:00	(04:00) 07:00 - 17:00	OFF	OFF	5
AF-3 HICKS	OFF	OFF	16:00 - 02:00 (05:00)	16:00 - 02:00 (04:00)	16:00 - 02:00	16:00 - 02:00	OFF	5
AF-4 MEARLS	16:00 - 02:00	OFF	OFF	OFF	18:00 - 04:00 (05:00)	18:00 - 04:00 (05:00)	16:00 - 02:00 (05:00)	5
AF-5 FITCH	(05:00) 07:00 - 17:00	16:00 - 02:00	OFF	OFF	OFF	(05:00) 07:00 - 17:00	(05:00) 07:00 - 17:00	5
AF-10 MARTINEZ	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	OFF	OFF	6
AF-1 MCCASLIN	10/11/2021 08:00 - 16:00	10/12/2021 (02:00) 08:00 - 16:00	10/13/2021 (02:00) 08:00 - 16:00	10/14/2021 08:00 - 16:00	10/15/2021 08:00 - 16:00	10/16/2021 OFF	10/17/2021 OFF	on call hours 10
AF-2 HARVEY	OFF	07:00 - 17:00	07:00 - 17:00	(05:00) 07:00 - 17:00	(04:00) 07:00 - 17:00	OFF	OFF	5
AF-3 HICKS	OFF	OFF	16:00 - 02:00 (05:00)	16:00 - 02:00 (04:00)	16:00 - 02:00	16:00 - 02:00	OFF	5
AF-4 MEARLS	16:00 - 02:00	OFF	OFF	OFF	18:00 - 04:00 (05:00)	18:00 - 04:00 (05:00)	16:00 - 02:00 (05:00)	5
AF-5 FITCH	(05:00) 07:00 - 17:00	16:00 - 02:00	OFF	OFF	OFF	(05:00) 07:00 - 17:00	(05:00) 07:00 - 17:00	5
AF-10 MARTINEZ	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	OFF	OFF	6
AF-1 MCCASLIN	10/18/2021 08:00 - 16:00	10/19/2021 (02:00) 08:00 - 16:00	10/20/2021 (02:00) 08:00 - 16:00	10/21/2021 08:00 - 16:00	10/22/2021 08:00 - 16:00	10/23/2021 OFF	10/24/2021 OFF	on call hours 10
AF-2 HARVEY	OFF	07:00 - 17:00	07:00 - 17:00	(05:00) 07:00 - 17:00	(04:00) 07:00 - 17:00	OFF	OFF	5
AF-3 HICKS	OFF	OFF	16:00 - 02:00 (05:00)	16:00 - 02:00 (04:00)	16:00 - 02:00	16:00 - 02:00	OFF	5
AF-4 MEARLS	16:00 - 02:00	OFF	OFF	OFF	18:00 - 04:00 (05:00)	18:00 - 04:00 (05:00)	16:00 - 02:00 (05:00)	5
AF-5 FITCH	(05:00) 07:00 - 17:00	16:00 - 02:00	OFF	OFF	OFF	(05:00) 07:00 - 17:00	(05:00) 07:00 - 17:00	5
AF-10 MARTINEZ	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	OFF	OFF	6
AF-1 MCCASLIN	10/25/2021 08:00 - 16:00	10/26/2021 (02:00) 08:00 - 16:00	10/27/2021 (02:00) 08:00 - 16:00	10/28/2021 08:00 - 16:00	10/29/2021 08:00 - 16:00	10/30/2021 OFF	10/31/2021 OFF	on call hours 10
AF-2 HARVEY	OFF	07:00 - 17:00	07:00 - 17:00	(05:00) 07:00 - 17:00	(04:00) 07:00 - 17:00	OFF	OFF	5
AF-3 HICKS	OFF	OFF	16:00 - 02:00 (05:00)	16:00 - 02:00 (04:00)	16:00 - 02:00	16:00 - 02:00	OFF	5
AF-4 MEARLS	16:00 - 02:00	OFF	OFF	OFF	18:00 - 04:00 (05:00)	18:00 - 04:00 (05:00)	16:00 - 02:00 (05:00)	5
AF-5 FITCH	(05:00) 07:00 - 17:00	16:00 - 02:00	OFF	OFF	OFF	(05:00) 07:00 - 17:00	(05:00) 07:00 - 17:00	5
AF-10 MARTINEZ	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	08:00 - 16:00	OFF	OFF	6

NOTE: GREEN HIGHLIGHTED AREAS ARE TIME SHEET DATES  
 NOTE: ORANGE HIGHLIGHTED AREAS ARE HOLIDAYS  
 NOTE: GRAY HIGHLIGHTED AREAS ARE TRAINING

NOTE: YELLOW HIGHLIGHTED AREAS ARE CONSIDERED OVERTIME  
 NOTE: BLUE HIGHLIGHTED AREAS ARE APPROVED PTO DAYS  
 NOTE: PINK HIGHLIGHTED AREAS ARE RESTRICTED DUTY

C. **Part Time Employees.** Part time non-exempt employees shall be paid overtime or compensatory time for any hours worked in excess of forty (40) hours per week. For hours in excess of the employee's usual work schedule but not more than forty (40) hours per week, part time employees shall be paid at their straight time hourly rate. Upon agreement between the employee and the department director, and subject to approval of the Village Clerk/Administrator, part time employees who work more than their scheduled hours but not more than forty hours in a work week, may accrue compensatory time at straight time for those hours worked in excess of their scheduled hours in a work week.

D. **Leave Hours Not Credited.** Hours that are paid but not worked, such as vacation, holidays, sick leave, administrative leave with pay, etc., shall not be counted in computing overtime or compensatory time

E. **Exempt Employees.** Exempt employees are not eligible for overtime pay or comp time. In recognition that such employees may have to work beyond forty (40) hours per week, unclassified exempt employees will be credited with sixty (60) hours of personal administrative leave ("PAL") per year in addition to other leave time.

Commented [RVV26]: Consistency

1. PAL hours will be credited on January 1 of each year. Employees hired after January 1 will be credited with a pro-rata number of PAL hours for the year in which hired.
2. Unused PAL hours do not carry over and will be forfeited on December 31 of the same year or upon termination of employment within the year.

F. **Callback and Standby.**

1. **On-Call Restricted Status.** On-call restricted status refers to a ~~Public Works~~ nonexempt employee who is required to remain on-call on the employer's premises or so close thereto that the PW employee cannot use the time effectively for his or her own purposes. The PW employee is considered to be on-the-job and must be compensated at regular or overtime rates, as applicable. ~~Public Works~~ Nonexempt employees on this status shall not decline to respond except as otherwise provided in this policy regarding working hours and conditions (e.g., illness, care for a dependent, etc.).

Commented [RVV27]: Police should be included in this section.

2. **On-Call Limited Restricted Status.** A ~~Public Works~~ nonexempt employee assigned to "on-call" status with limited restrictions shall be required to be available to answer service requests while off duty for the duration of the assigned on-call shift. On-call status shall not constitute compensable hours worked pursuant to the Fair Labor Standards Act. An on-call PW employee shall be compensated at a rate equal to one eighth (1/8) of their regular hourly

pay, or a rate of \$1.70 per hour, whichever is greater, for each hour of "on-call" status. The department director shall determine priority among PW employees choosing such assignments.

- a. **Location limitations.** The Public Works nonexempt employee shall maintain an ability to be contacted by telephone or radio, and be available to respond within 30 minutes to calls for service.
  - b. **Alcohol and drugs.** Drug usage or consumption of alcoholic beverages is prohibited while on-call.
  - c. **Duty to respond.** Public Works Nonexempt employees on this status shall not decline to respond except as otherwise provided in this policy regarding working hours and conditions (e.g., illness, care for a dependent, etc.).
3. **Stand-by.** A Public Works A nonexempt employee who is able to use his or her time freely and is not performing a specific assigned task is considered "waiting to be engaged," otherwise known as "stand-by." The PW employee shall be available to be contacted by pager, cell phone or other electronic device and return to the work site as soon as practical from the time contact is made. However, since he or she is off duty, stand-by time is not compensable, and the PW employee may not be required to remain within a specific geographic area. Public Works Employees on stand-by status may decline to return to work if contacted, without penalty, discipline or other reprisal; provided, that repeated instances may result in the status being offered to other PW employees thereby limiting the PW employee's opportunity for additional compensation for the work actually to be performed.
4. **Call-Back Pay.** A Public Works nonexempt employee who is called back to work after their regularly scheduled hours, or reports to work on their day off, shall receive Call-Back pay for a minimum of two (2) hours at their regular or overtime hourly rate, whichever is applicable pursuant to the Fair Labor Standards Act. Paid time shall begin when the PW employee begins travel to report for work and ends upon completion of the call-back assignment. Compensation for travel does not apply in cases where the additional work time is immediately preceding or immediately following regularly scheduled work.
5. **Additional Compensable Work Time.** A Public Works nonexempt employee who is authorized by their employer to perform work related tasks remotely via e-mail or telephone, before or after their regularly assigned shift, shall be compensated at their regular or overtime hourly rate, whichever is applicable pursuant to the Fair Labor Standards Act. The employer may verify calls and require documentation of call, including but not limited to: date, time

# FLSA FAQ: Properly Compensating Employees for On Call Time

• December 11, 2015 0 4 minutes read



Recently, we discussed the issue of a call center employer who took deductions for employees' "idle time" while on duty, both at breaks and while waiting for their next work assignment. As a follow up to that post, I wanted to discuss how the Fair Labor Standards Act (FLSA) regulations define "idle time" or "waiting time" for purposes of hours worked calculations. As we discussed in yesterday's post, under Section 779.106 of the FLSA regulations, waiting or idle time is any time that employees are not performing the work for which an employer hired them, but are still subject to the direction of the employer or the constraints of a job. Yesterday, we looked at idle time while on duty. Today, we'll discuss how to handle off duty and "on call" situations.

## Off Duty, But On Call



Under the FLSA regulations, the key question to determine whether you must pay an employee for time spent on call is whether the employee is “engaged to wait” or “waiting to be engaged.” Whether hours spent on-call is hours worked is a question of fact to be decided on a case-by-case basis. All on call time is not automatically considered hours worked under the FLSA. Generally speaking, if an employer requires an employee to remain at a job site (or so close to it) that he or she cannot use the time effectively for his or her own purposes, that is compensable on-call time—the employee is “engaged to wait.” (There is an exception for employees who work shifts of at least 24 hours, which we’ll discuss next week). This is true even if the employee sits idle watching TV, reading a book, napping, or using a smartphone. The employee is not generally free to go about his or her business.

However, if an employee is completely relieved of his or her job duties, can leave the workplace or job site, and can effectively use the time for his or her own personal purposes, this is noncompensable time. This employee is “waiting to be engaged.” As with ~~our discussion yesterday~~ about the unpredictability of idle time during on duty periods, for off duty, but on call, periods to be truly noncompensable, the employee must have sufficient time to take advantage of being relieved of duties. Depending on the circumstances, having 10 minutes between call outs might not be noncompensable.


Drawing the line between being “engaged to wait” and “waiting to be engaged” can be difficult at times. Several factors can impact this determination, such as response times. If an employee is expected to report to work within 15 minutes of receiving a call, then that response time may significantly limit their ability to use idle time on call for his or her own purposes. An employee who could handle calls remotely or who has 2 or 3 hours to report to work after a call likely does have enough flexibility to use idle time while on call for personal pursuits. In that instance, only the time actually spent responding to the call would be considered compensable time under the FLSA. Exactly where the response time becomes too short depends on the facts involved, including the location of the job site, how often calls occur, and what kind of preparation is required before responding.

**Upshot for Employers**

Get help with your fact situations, but consider these five factors when evaluating whether your employees' off-duty, on-call time is compensable:

- **Geographic limitations.** If being on call requires employees to stay within a close geographic proximity, then consider compensating these hours as work site. There is no hard and fast rule here. Staying within a 5-minute drive of a worksite would almost always be compensable. Staying within the county where the person lives might not. Between the extremes, there is plenty of gray area.
- **Movement restrictions.** Sometimes the limitations are expressed in terms of movement, not geography. If employees must remain tethered to a work site or even to their homes, it is likely that the DOL or a court would find this compensable on-call time.
- **Response time requirements.** Once again, there is no bright line rule for when a particular response time requirement tips the balance in favor of compensability. A good rule of thumb is 45 minutes. In most cases, if an employee does not need to respond for at least 45 minutes—including any prep time or commuting necessary to get ready for the call back or call out—then most courts have found the time spent between calls will fall into the “waiting to be engaged” category. Anything less than 45 minutes risks being found overly restrictive. Even 45 minutes may be inadequate depending on the situation, so look at your specific facts.
- **Uniform requirements.** If employees must remain in uniform while on call, then this is often evidence that their personal use of time is restricted and the on call time is compensable.
- **Frequency of calls.** This factor is simple: the more calls your employees get, the more likely you will need to compensate them for the idle time between calls. For example, the DOL has used the example of EMTs who have more calls in the winter due to poor road conditions, but fewer in summers when roads are in better shape. During those times when the calls are more frequent, the employer may owe the EMTs wages for on call times. This factor requires careful monitoring to ensure that what you think happens in theory reflects what actually happens in practice. You may find that you need to compensate on call employees some weeks but not others.

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Proceeds  
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The FLSA and the  
Primary Duty: Classifying  
Employees Working Both  
Exempt and Non-Exempt  
Jobs  
October 13, 2015  
In "Employee  
Classification"

**#Hours worked**

**#Idle time**

**#Off the clock**

**#On call**

**#Overtime**

**#Waiting time**

DEPARTMENT OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT



Michelle Lujan Grisham  
Governor

Bianca Ortiz Wertheim  
Secretary Cabinet

Kelly Hamilton  
Deputy Cabinet Secretary

John Kondratick  
Phone (505) 470-1044  
Interim State Fire Marshal

P.O. Box 2711  
Santa Fe, NM 87502

August 31, 2021

Kevin Henson, Chief  
Angel Fire FD.  
P.O. Box 610,  
Angel Fire, NM 87710

Reference: Angel Fire, Fire Department.

Chief Hensen:

In response to your correspondence dated August 31, 2021, you are hereby authorized to carry and earmark and accumulate Fire Protection Fund monies for FY 2021/2022

**Angel Fire, Fire Department \$137,401.00**

The Angel Fire, Fire Department is authorized to use fire protection Fund monies to be utilized for Operating Expenses.

If I may be of additional assistance in this matter, please feel free to contact me at 505-819-8285

Sincerely,

Eloy Prada

Fire Service Coordinator

New Mexico State Fire Marshal's Office

**DEPARTMENT OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT**

P.O. Box 27111 • Santa Fe • New Mexico • 87502  
Office: 505-476-9600 • Fax: 505-476-9650



Michelle Lujan Grisham  
Governor

P.O. Box 2711  
Santa Fe, NM  
87502

Bianca Ortiz Wertheim  
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Deputy Cabinet Secretary

John Kondratick  
Interim State Fire Marshal  
Phone (505) 470-1044

DEPARTMENT OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT

August 15, 2021

GL Accountant  
Village of Angel Fire  
PO Box 610  
Angel Fire, NM 87710-0610

Ref: First Fiscal Year 2022 Fire Protection Fund Distribution for the Angel Fire Fire Department

Dear GL Accountant,

The Department of Homeland Security will be distributing the Fire Protection Fund on a bi-annual basis for Fiscal Year 2022.

NMFA payments, for outstanding department loans, are paid in full during the first funding allocation.

The bi-annual distribution dates for the Fire Protection Fund Fiscal year 2022 will be as followed:

- 1<sup>st</sup> quarter allocation/distribution - On August 15<sup>th</sup>, a 50% distribution of the total amount will be allocated to the municipality or district.
- 2<sup>nd</sup> quarter allocation/distribution - On February 15<sup>th</sup>, a 50% distribution of the total amount will be allocated to the municipality or district.

The Bi-Annual Allocation/Distribution is based on the revenue received into the state of New Mexico for the FY 22 Fire Protection Fund.

The August 15<sup>th</sup> total 1<sup>st</sup> bi-annual Fiscal Year 2022 Fire Protection Fund allotment/distribution to your fire departments is enclosed in the amount of \$179,836.00.

ORIGINAL INVOICE

Please refer to the Table below for your FY 22 Fire Protection Fund amounts.  
 Invoice No20220415-61 FY 22 FPF 1<sup>st</sup> Distribution

Village of Angel Fire  
 FY 22

FIRST Allotment  
 Fire Protection Fund Distribution

Fire Department	Total Distribution	NMFA Amount	Total to Department	First Allotment August FY 22 50% of Total to Department	Second Allotment February FY 22 50% of Total to Department
Angel Fire	\$359,672.00	\$0.00	\$359,672.00	\$179,836.00	\$179,836.00

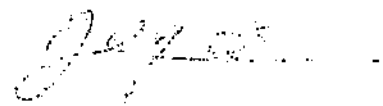
ORIGINAL INVOICE

The amount allocated covers the period from July 1<sup>st</sup> 2021, through June 30<sup>th</sup> 2022, and shall be expended only for the maintenance of the fire department, the purchase, construction, repair and operation of its fire stations, fire apparatus and equipment, the payment of insurance premiums on fire stations, substations, fire apparatus and equipment, and insurance premiums for injuries or death of firefighters as otherwise provided by law. Such funds are to be expended at the direction of the Chief of each fire department in accordance with the provisions of the Public Purchases Act, the Fire Protection Fund Act, and the State Fire Marshal's Rules and Regulations to the Act.

*\*Please be reminded that during the 2017 regular legislative session, House Bill 4 was enacted (Laws 2017, Chapter 1). Section 8 of House Bill 4 created requirements that the State Fire Marshal must follow in making a determination and certification of needs pursuant to Section 59A-53-3 NMSA 1978 and distributions pursuant to Sections 59A-53-4 and 59A-53-5.1, which pertain to the Fire Protection Fund. Specifically, the bill required the State Fire Marshal to coordinate with the Department of Finance and Administration (DFA), the New Mexico Finance Authority, Office of the State Treasurer, the New Mexico Municipal League and the New Mexico Association of Counties, regarding a periodic allotment schedules.*

Please contact me if you have any questions or concerns, at 505-470-1044 or [john.kondratick@state.nm.us](mailto:john.kondratick@state.nm.us).

Respectfully,



John Kondratick  
Interim, State Fire Marshal

cc: Mayor, Village of Angel Fire