



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, March 7, 2013

Submit this summary form to the Finance Director Sherri Bunch sbunch@leacounty.net by:

Thursday, February 21st

County Manager Approval (mgallagher@leacounty.net) required for all time sensitive issues that do not meet the above deadline.

DATE SUBMITTED: Friday, March 1, 2013	SUBMITTED BY (Name/Title/Dept): Kelli Williams, Recording Secretary, Clerk's Office
SUBJECT: Minutes	ATTACHMENT(S): 02/21/2013 Draft Minutes
NUMBER OF ORIGINALS FOR SIGNATURE(S): One (1)	<input checked="" type="radio"/> Consideration <input type="radio"/> Discussion <input type="radio"/> Presentation

SUMMARY:
LCBCC to review and approve the February 21, 2013 LCBCC Minutes.

Please provide the County Manager's Office with any handouts, PowerPoint presentations and originals for signatures no later than Monday, March 4, 2013. Thank you. See Additional Summary Description

PLACEMENT <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Recognition/Award <input type="checkbox"/> Outside Entity <input type="checkbox"/> Board/Committee <input type="checkbox"/> Other Elected Official <input type="checkbox"/> Manager <input type="checkbox"/> County Dept. <input type="checkbox"/> Executive Session <input type="checkbox"/> Employment <input type="checkbox"/> Other Business	AGENDA List Requested Items Needed (Laptop/Projector, Etc.) N/A
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SUBMITTERS'S RECOMMENDATION(S): Approve Minutes (submitted by email 03/01)	Submitter's Signature (Department Director, Etc.) (insert signature)
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FINANCE REVIEW (Fiscal Impact/Cost): N/A	Reviewed by Finance Director (insert signature)
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LEGAL REVIEW: N/A	Reviewed by County Attorney (insert signature)
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COUNTY MANAGER REVIEW:	Approved by County Manager to be Placed on Agenda (insert signature) <i>M Gallagher 3/4/13</i>
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RECORDING SECRETARY'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. _____ Policy No. _____ Ordinance No. _____
 File No. _____ Continued To: _____ Referred To: _____
 Other: _____ Approved: *William B-7-13* Denied: _____
 Comments: _____



**Minutes of Meeting
Lea County Board of Commissioners
February 21, 2013**

Chairman Fulfer called the meeting to order at 9:05 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Commissioner Mike Whitehead District 2, Vice Chairman Ron Black District 3, Commissioner Thomas G. Pierce District 4 and Chairman Gregory H. Fulfer District 5.

Also present were County Manager Michael P. Gallagher II and County Attorney Scotty Holloman.

Commissioner Whitehead led the Pledge of Allegiance followed by the Invocation by Vice Chairman Black.

ITEM 01: COMMISSION

- ***Board of County Commissioner***

- Consideration of Approval of the February 7, 2013 Minutes

Vice Chairman Black moved to approve the February 7, 2013 minutes. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Committee Reports

Commissioner Pierce stated he attended the event at the Event Center where they discussed the proposed Equine facility. It was very interesting, and I was very impressed with the presentation.

Set/Confirm Next Meeting(s):

- Thursday, March 7, 2013 at 9:00 a.m. – Confirmed
- Thursday, March 21, 2013 at 9:00 a.m. – Confirmed
- Thursday, March 21, 2013 at 1:00 p.m. Outside Agency Funding Request – Confirmed
- Thursday, April 11, 2013 at 9:00 a.m. – Confirmed
- Thursday, April 25, 2013 at 9:00 a.m. – Confirmed
- Thursday, May 9, 2013 at 9:00 a.m. – Tentative
- Thursday, May 23, 2013 at 9:00 a.m. – Tentative
- Thursday, June 6, 2013 at 9:00 a.m. – Tentative
- Thursday, June 20, 2013 at 9:00 a.m. – Tentative
- Thursday, July, 11, 2013 at 9:00 a.m. – Tentative
- Thursday, July, 25, 2013 at 9:00 a.m. – Tentative

The next meetings will be at 9 a.m. **Thursday March 7, 2013; Thursday March 21, 2013 Outside Agency Funding Request meeting at 1:00 p.m.; Thursday April 11, 2013; and Thursday April 25, 2013** in the Lea County Board of Commissioners Room. Meetings are tentatively set for Thursday, May 9, 2013; May 23, 2013 June 6, 2013 July 11, 2013 and July 25, 2013.

- Consideration of Appointments to Active Boards
 - Lea County Airports Advisory Board (LCAAB):
 - District 3 Bill Wright
 - Lea County DWI Advisory Committee (LCDWIAC):
 - District 1 No appointment was made at this time
 - Lea County Fair Board (LCFB):
 - District 5 No appointment was made at this time
 - Lea County Indigent Hospital Claims Advisory Board (LCIH CAB):
 - District 2 No appointment was made at this time
 - District 4 No appointment was made at this time
 - Lea County Planning & Zoning Board (LCPZB):
 - District 5 No appointment was made at this time
 - Lea County Road Advisory Committee (LCRAC):
 - District 5 No appointment was made at this time

Commissioner Pierce moved to approve the appointments to active boards. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Appointments to Other Active Boards:
 - Lovington – Lea County Extraterritorial Zoning Commission (LLCEZC):
 - District 1
 - District 1

Commissioner Whitehead moved to table the appointment to other active boards. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 02: OUTSIDE ENTITIES

- **New Horizons Resources – Dale Gannaway, Executive Director**
- Discussion on New Horizons Resources

Executive Director Gannaway stated New Horizons Resources is also the NMJC Research Foundation. The board chose to brand it with a different name because usually you do not associate Research Foundations with two year community colleges. He stated I think that it is very visionary, and I would like to congratulate the Commissioners, for the ongoing endorsement of this concept. The people of Lea County, and the NMJC should be congratulated as well for thinking this way. New

Horizons is attempting to put new resources in place that can enable the private sector and entrepreneurs to drive economic development and drive diversity in the County's economy.

ITEM 03: BOARDS/COMMITTEES

• **Lea County Fair Board – Brad Weber, Chairman**

- Consideration of Recommendation from the Lea County Fair Board for the Approval of Agreement between Lea County and The Randy Rogers Band to Perform on August 6, 2013 at the Lea County Fair and Rodeo

Mr. Weber requested approval of the agreement. Mr. Holloman stated there are a few things in the next three contracts that need to be addressed. Commissioner Whitehead moved to approve the agreement between Lea County and The Randy Rogers Band to perform on August 6, 2013 at the Lea County Fair and Rodeo pending legal review. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Recommendation from the Lea County Fair Board for the Approval of Agreement between Lea County and Pretty Damn Tough, LLC for the Josh Abbott Band to Perform on August 8, 2013 at the Lea County Fair and Rodeo.

Mr. Weber requested approval of the agreement. Commissioner Whitehead moved to approve the agreement between Lea County and Pretty Damn Tough, LLC for the Josh Abbott Band to perform at the Lea County Fair and Rodeo pending legal review. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Recommendation from the Lea County Fair Board for the Approval of Agreement between Lea County and Academia Int'l De Mariachi "Los Toritos" for the Charreada on August 4, 2013 Lea County Hispanic Heritage Rodeo during the 2013 Lea County Fair and Rodeo

Mr. Weber requested approval of the agreement. Commissioner Whitehead moved to approve the agreement between Lea County and Academia Int'l De Mariachi "Los Toritos" for the Charreada Lea County Hispanic Heritage Rodeo during the Lea County Fair and Rodeo pending legal review. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 04: MANAGER

• **Lea County Manager – Michael P. Gallagher II**

- Consideration of Approval of Travel

Manager Gallaher requested approval of the travel request. Vice Chairman Black moved to approve the travel request. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 05: COUNTY DEPARTMENTS

• **Communications Authority – Angela Martinez, Director**

- Discussion of Emergency Management Software Package

Director Martinez stated the public safety software that we are utilizing which is our CAT system and RMS Computerized dispatch and records management system, came up for renewal January 1st. The Hobbs Police Dept. also utilizes the same software. The Hobbs police department has every intention of severing its ties with the current system. The LCC, LCSO, and the Hobbs police department have all seen several demonstrations with different vendors. She stated they feel that it is best that they make the software renewal at the same time. Chairman Fulfer stated you would need to make sure to include in your RFP process that you have good file transfer capability.

• **Emergency Management/Environmental Services/Maintenance – Lorenzo Velasquez, Director**

- Discussion of Lea County Emergency Management Report

Director Velasquez reported there was six grass fire calls, all of them were patches so there is zero acreage reported burned. There were 12 EMS runs for the past two weeks. We will take delivery for our new tanker for the Maljamar fire department within the next week.

- Discussion of Web Based Code Red Service from Emergency Communications Network

Director Velasquez stated Code Red is a web based Emergency Communications Network. It was specifically designed to enable local government officials to record, send and track personalized voice, e-mail, text and social media messages to thousands of citizens in minutes. It is a dedicated, triple redundant network. He stated it has been in operation for 14 years. It is on a state contract so we do not have to go out for bid. If we have an emergency and we need to notify somebody, we can notify whoever needs to be notified, or we can notify everyone. It can be used for emergency, non-emergency and community updates just about whatever we want to use it for. We do have available funding for this. Vice Chairman Black made a motion to approve the web based code red service emergency communications network. Director Velasquez stated this item is on the agenda as a discussion at this time; however I will bring it back for action at a later date.

- Discussion of Lea County Environmental Services Report

Director Velasquez reported we had 27 animals go to shelter, 63 total calls for animals. There were eight illegal dump sites located and cleaned. Our County cleanup crew picked up 87 tires with a total of 21 miles that were cleaned and 165 bags picked up, the inmate crew picked up 80 bags with a total of 22 miles.

- Consideration of Approval of the 3rd and Final Option to Renew Solid Waste Transportation Agreement between Lea County and Waste Management for Hauling Waste to the Lea County Landfill from Lea County's Convenience center and three (3) satellite centers

Director Velasquez requested approval of the 3rd and final option to renew solid waste transportation agreement. He stated we currently have funding in the budget for the consumer pricing index of 1.7 increases from last year. Commissioner Whitehead moved to approve the 3rd option to renew solid waste transportation agreement between Lea County and Waste Management for hauling waste to the Lea County Landfill from Lea County's convenience center and three satellite centers. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of the 3rd and Final Option to Renew As Needed Electrical Repairs & Modifications Agreement Between Lea County and David Thompson DBA Alfonso Electric

Director Velasquez requested approval of the 3rd and final option to renew as needed electrical repairs and modifications agreement. Commissioner Whitehead moved to approve the 3rd and final option to renew as needed electrical repairs and modifications agreement between Lea County and David Thompson DBA Alfonso Electric. The motion was seconded by Vice Chairman Black and passed unanimously.

- **Event Center/Fairgrounds/Marketing – Lyn Edwards, Director**

- Presentation/Discussion of Indoor equestrian Arena/Facility Project (Dekker/Perich/Sabatini/ Design aka D/P/S Design – Mathew R. McKim, Principal)

Director Edward introduced Mathew McKim. Mr. McKim stated we have been working hard with Mr. Gallagher and others in Lea County to do a Market Study for an Equestrian Center. He introduced Dan Martin to present the market study findings. Mr. Martin presented a power point presentation concerning the indoor equestrian arena/facility project. The methodology where they interviewed over 60 representatives and organizations, analyzed infrastructure, developed a financial analysis and evaluated characteristics of two potential sites. He also included facility recommendations, other amenities, and the location of the site.

• Consideration of Approval of the following for the New Mexico Junior High School Rodeo Association (NMJHSRA):

- Lea County to Host Two (2) Regular Rodeos and State Finals for the NMJHSRA

Director Edwards stated we have received two letters from the New Mexico Junior High School Rodeo Association asking for funding for two different rodeos. One of the requests is April 14th and 15th and the other is the State Finals over Memorial Day weekend at the Lea County Fair Grounds. One of the letters received was requesting \$20,000 funding from the County. She asked for the Commission's recommendation. Chairman Fulfer stated I would like to see us support them this is a great overall program.

- Lea County Resolution No. 13-FEB-009R Approving Lea County's Sponsorship and Financial support of the NMJHSRA's 2013 State Rodeo Finals to be Held at the Lea County Fairgrounds

Vice Chairman Black moved to approve Resolution No. 13-FEB-009R approving Lea County's sponsorship and financial support of the NMJHSRA's 2013 State Rodeo Finals to be held at the Lea County Fairgrounds. The motion was seconded by Commissioner Pierce and passed unanimously.

• **Planning/GIS – Buster Willis, Administrator**

- Discussion of Lea County Subdivisions Report

Director Willis stated we are reviewing four subdivisions at our next meeting March 12th, 2013. The first is type 3a subdivision; Love Lady Subdivision is four lots. We are reviewing 3 preliminary plats. I received an email concerning senate bill 480. It will affect our 3b and type 1,2,3,4 subdivisions. If it becomes law the developer is going to have to get permits for all of the subdivisions from the office of the state engineer.

• **Public works (Airports/Engineering/Roads) – Corey Needham, Director**

- Consideration of Approval of Mid-America Pipeline Company Permanent Easement across Lea County Land

Director Needham requested approval of Mid-America Pipeline Company permanent easement across Lea County land between Lovington and Tatum. He presented a power point to show the area of the pipe line easement. He stated this is where we currently have our crusher. Mr. Holloman stated there are a couple of things that would need some clarification. Chairman Fulfer stated have we considered reducing the right of way from a 50 to a 30 ft. right of way then if they want additional pipeline they will have to come back and ask. Mr. Holloman stated it would be best to

get this straight before it is approved. Commissioner Whitehead moved to table approval of Mid-America Pipeline Company permanent Easement across Lea County land. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Lea County Road Department Report

Director Needham presented a power point presentation with the discussion of the roadways.

- Consideration of Approval of Bensing Road Right of Way

Director Needham requested approval of Bensing Road Right of Way. He stated I brought seven items before you about four weeks ago, we also have the three remaining right of ways signed and agreed upon. This will complete all ten right of ways required to construct Bensing Road from College Lane to Kansas and from Kansas to Alabama. Commissioner Whitehead moved to abstain from voting in this matter. Mr. Holloman stated before we approve these right of ways there are two letter agreements that are included in the packet that need to be approved as well. Vice Chairman Black asked if the letters will need to be voted on separately. Mr. Holloman stated yes. Vice Chairman Black moved to approve the letter authorizing removal of center pivot with Mr. Schubert. The motion was seconded by Commissioner Pierce and passed with Commissioner Whitehead abstaining from voting. Vice Chairman Black moved to approve the letter authorizing removal of center pivot with Mr. Crozier. The motion was seconded by Commissioner Pierce and passed with Commissioner Whitehead abstaining from voting. Vice Chairman Black moved to approve the roadway dedications for Bensing Road. The motion was seconded by Commissioner Pierce and passed with Commissioner Whitehead abstaining from voting.

- Consideration of Approval of Cooperative Project Agreement Between Lea County and New Mexico Department of Transportation (NMDOT) for the Federal Highway Administration (FHWA) Funds for the Design and Construction of Pavement Rehabilitation on West County Road (SW Bypass) from Grimes Street East to NM 18 (Eunice Highway) in Hobbs, New Mexico

Director Needham requested approval of the Cooperative Project Agreement. He stated two years ago we did a pavement rehab project, from the Carlsbad Highway to Grimes. This would complete the project. Vice Chairman Black moved to approve the Cooperative project agreement between Lea County and New Mexico Department of Transportation for the Federal Highway Administration funds for the design and construction of pavement and rehabilitation on west county road from Grimes to NM 18. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of County Arterial Project (C.A.P) Grant Application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project

Director Needham requested approval. Commissioner Whitehead moved to approve the County Arterial project grant application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project. The motion was seconded by Vice Chairman Black and moved unanimously.

- Consideration of Approval of Cooperative (CO-OP) Grant Application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project

Director Needham requested approval of the cooperative grant application. He stated this is for Prairieview road approximately 13.8 miles their portion of the construction is \$211,000, based on a four or five year average consideration, our expectation is to receive about \$90,000 on this grant. Commissioner Pierce moved to approve the Cooperative grant application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of School Bus (SB) Grant Application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project

Director Needham requested approval of the School Bus grant application. He stated it is approximately eight miles. We are asking for \$163,000, with the expectation of receiving about \$60,000 on this grant. Commissioner Pierce moved to approve the School Bus grant application between Lea County and New Mexico Department of Transportation for the Capital Cooperative Agreement Certification Project. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Administrative Services (Finance/Grants/Information Technology) Sherri Bunch, Director**

- Consideration of Approval of Lea County Resolution No. 13-FEB-010R Findings and Proposed Disposition of Inventory

Director Bunch requested approval of Lea County Resolution No. 13-Feb-010R Findings and proposed disposition of inventory. She stated there is a list on the back of the resolution and if you will notice there are a few items that we were able to transfer to Chaves County that is some voting machine items that were not needed with the conversion to voting convenience centers per Pat Chappelle. Vice Chairman Black moved to approve Resolution NO. 13-FEB-010R Findings and Proposed Disposition of Inventory. The motion was seconded and passed unanimously.

- Consideration of Approval of Lea County Resolution No 13-FEB-11R Authorizing Lea County to Become Member of the America's Counties for Energy Independence (ACEI)

Director Bunch requested approval of Lea County resolution No 13-FEB11R. She stated our membership would support their platform to educate and conform regarding energy extraction across the nation. Vice Chairman Black moved to approve Resolution No.13 FEB-11R Authorizing Lea County to become a member of the America's Counties for Energy Independence ACEI. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Lea County Ordinance No. 78 to Issue Gross Receipts Tax (GRT) Revenue Bonds, Series 2013

Director Bunch requested approval of Lea County Ordinance No. 78. She stated Mr. Harrigan with RBC Capital Funding is here. Our counsel Mr. Daniel Alsup is also here to discuss the terms of the refunding. He stated as you recall the last time I was here we had gone through an RFP process. BBVA Compass Bank we believe would provide the best value to the County. Mr. Alsup stated the ordinance authorizes issuance of the Bonds; also it authorizes payment of the bonds, out of the first 1/8 of the local option gross receipts tax. Chairman Fulfer asked if there were any public comments. There were no public comments. Commissioner Pierce moved to approve Lea County Ordinance No. 78 to Issue Gross Receipts Tax (GRT) Revenue Bonds, Series 2013. The motion was seconded by Commissioner Whitehead and passed unanimously. Director Bunch stated now you will have to wait 30 days to make sure there is not a protest and we will be able to issue the bonds.

- Consideration of Approval of Accounts Payable

Director Bunch requested approval of Accounts Payable. Commissioner Whitehead moved to approve accounts payable. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 06: PUBLIC

- **Public**

There were no public comments

ITEM 07: EXECUTIVE SESSION

• **BOARD OF COMMISSIONERS**

- Pursuant to Section 10-15-1 (H2), (H7) & (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights.

11:11 a.m. Vice Chairman Black moved to convene in Executive Session pursuant to **Section 10-15-1 (H2), (H7) & (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights**. The motion was seconded by Commissioner Pierce. Secretary polled the Commission: Commissioner Pierce, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

Vice Chairman Black moved to reconvene in Regular session. The motion was seconded by Commissioner Pierce and passed unanimously. The meeting reconvened at 12:37 a.m. Secretary polled the Commission: Commissioner Pierce, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

- The Commission convened in closed session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

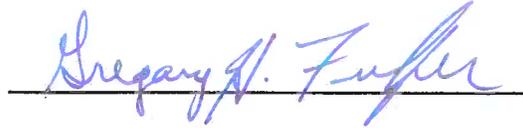
ITEM 08: OTHER BUSINESS

There was no other business

The meeting adjourned at 12:38 a.m. by Chairman Fulfer.

BOARD OF COUNTY COMMISSIONERS

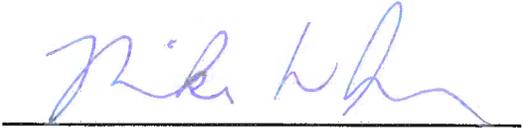
LEA COUNTY, NEW MEXICO



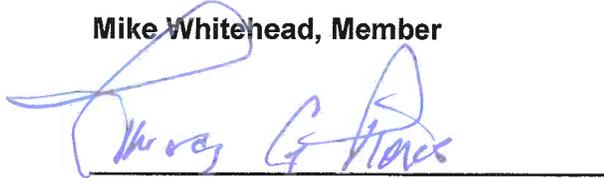
Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman

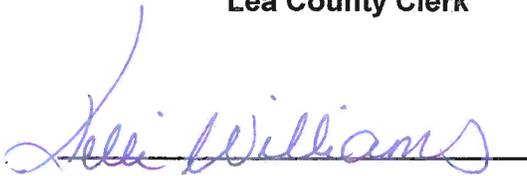


Mike Whitehead, Member



Thomas G Pierce, Member

ATTEST: Pat Chappelle
Lea County Clerk



Kelli Williams

Dale Dunlap, Member

