LEA COUNTY BOARD OF COUNTY COMMISSIONERS
SUMMARY FORM
LCBCC MEETING DATE: Thursday, March 21, 2013

Submit this summary form to the Finance Director Sherri Bunch sbunch@leacounty.net by:
Thursday, March 7th

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

DATE SUBMITTED dd-mm-yyyy: 03-13-2013	**SUBMITTED BY** Name/Title/Dept: Kelli Williams/Recording Secretary/Clerk's Dept.
SUBJECT: Minutes	**ATTACHMENT(S):** 03/07/2013 Draft LCBCC Minutes

No. of Originals for Signature (Select One): Due in County Manager's Office 2 Days Prior to Meeting — One (1)	**Action Requested** (Select One): Consideration	**Agenda Item Placement** (Select One): 01 Commission

SUMMARY:

See Attached 03/07/2013 Draft Minutes

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.: None	**See Additional Summary Attached** ☐
SUBMITTER'S RECOMMENDATION(S): Review & Approve 03/07 Minutes	**Submitter's Signature** Department Director, Etc. Kelli Williams — Digitally signed by Kelli Williams DN: cn=Kelli Williams, o=Lea County Government, ou=Recording Secretary, Clerk's Department, email=kwilliams@leacounty.net, c=US Date: 2013.03.13 09:14:44 -05'00'
FINANCE REVIEW Fiscal Impact/Cost: N/A	**Reviewed by Finance Director**
LEGAL REVIEW: N/A	**Reviewed by County Attorney**
COUNTY MANAGER REVIEW:	**Approved by County Manager** to be Placed on Agenda M Gallagher 3/15/13

RECORDING SECRETARY'S USE ONLY ~ COMMISSION ACTION TAKEN

Resolution No. _____ Policy No. _____ Ordinance No. _____
File No. _____ Continued To: _____ Referred To: _____
Other: _____ Approved: K Williams 3-21-13 Denied: _____
Comments: _____

Lea County Board of County Commissioners Meeting MAR 21 2013

Minutes of Meeting
Lea County Board of Commissioners
March 7, 2013

Chairman Fulfer called the meeting to order at 9:07 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1, 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 Lee A. Kirksey

Commissioner Dunlap led the Pledge of Allegiance followed by the Invocation by Commissioner Black.

ITEM 01: COMMISSION

- ***Board of County Commissioner***

• Consideration of Approval of the February 21, 2013 Minutes

Commissioner Whitehead moved to approve the February 21, 2013 minutes. The motion was seconded by Vice Chairman Black and passed unanimously.

• Discussion of Committee Reports

There were no Committee Reports

Set/Confirm Next Meeting(s):

- 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 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 DWI Advisory Committee (LCDWIAC):
    - District 1 No Appointment made at this time
  - Lea County Fair Board (LCFB):
    - District 5 Deidra Glass
  - Lea County Indigent Hospital Claims Advisory Board (LCIHCAB):
    - District 2 No Appointment made at this time
    - District 4 No Appointment made at this time
  - Lea County Planning & Zoning Board (LCPZB):
    - District 5 Cindy Shoobridge
  - Lea County Road Advisory Committee (LCRAC):
    - District 5 No Appointment made at this time

Vice Chairman Black 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 No Appointment made at this time
    - District 1 No Appointment made at this time

ITEM 02: BOARD/COMMITTEES

- **Lea County Fair Board – Lyn Edwards, Director**

  - Consideration of Recommendation from the Lea County Fair Board for the Approval of Agreement between Lea County and Equilibrium Circus for the 2013 Lea County Fair & PRCA Rodeo

Director Edwards requested approval for the agreement. She stated this is one of the small acts that we had last year at the rate of $5,000 on the small stage. They will perform Wednesday through Saturday. Vice Chairman Black moved to approve the agreement between Lea County and Equilibrium Circus with the Addendum. Commissioner Pierce asked, has the contract been reviewed? Mrs. Kirksey stated, yes, it has been reviewed and we have added an addendum. Commissioner Dunlap asked is this within your budget? She stated, yes, it is. The motion was seconded by Commissioner Pierce and passed with four yes votes and Commissioner Dunlap voting no.

ITEM 03: MANAGER

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

  - Consideration of Approval of Travel

Manager Gallagher requested approval of the travel requests. Commissioner Dunlap moved to approve the travel requests. The motion was seconded by Commissioner Whitehead and passed unanimously.

  - Discussion of Health Care Delivery Services Study

Manager Gallagher stated this is centered on the concept of pursuing the study that reviews local health care options, the delivery of health care services to County residents, and assessing the opportunities for the healthcare industry to grow here in Lea County. Housing, public safety, vocational services, local infrastructure, and health care are all components and they all impact economic development and quality of life. In Lea County, healthcare is viewed as a growth opportunity with room to expand. Vice Chairman Black stated, I feel this is a health care and a quality of life issue. I would like to see if we could see if there is something we could do. Manager Gallagher stated I would like to ask the County to move forward with this study. I will present this again the first meeting in April.

ITEM 04: COUNTY DEPARTMENTS

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

  - Discussion of Lea County Emergency Management Report

Director Velasquez stated there were seven grass fires reported from the 1st of February to the 15th. There have been 13 reported this year, all have only been patches. There were 45 EMS runs. We had an audit from Homeland Security. We did an awesome job. They were impressed with all of our grants, files, inventory, and set up.

  - Consideration of Approval of Amendment No. 1 of Sub Grant Agreement EMW-2011-SS-00094-S01-Lea between Lea County and New Mexico Department of Homeland Security and Emergency Management

Director Velasquez requested approval. He stated we received $104,000. We will extend all but about $15,000. Commissioner Dunlap moved to approve the extension of sub grant agreement EMW-2011-SS-00094-S01-Lea between Lea County

and New Mexico Department Security and Emergency Management. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Lea County Environmental Services Report

Director Velasquez reported there were 42 animals that went to shelter. There were 81 calls in total. There were nine areas with debris that was picked up on the side of the road. There were eight illegal sites cleaned, and 64 environmental calls handled in total. We had 19 septic systems violations reported. State Environmental Department is helping us out, and everyone is working together. Our litter control crew picked up 75 bags, 29 tires in a total of 10 miles.

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

  - Consideration of Approval to Reject Bid #10 2011-2012 Arena Curtain System for the Lea County Event Center

Director Edwards requested to reject bid. She stated the original bid for the curtain system was very elaborate and expensive. All of the events that we have had recently have not needed that elaborate of a curtain system. Commissioner Dunlap moved to reject Bid #10-2011-2012 arena curtain system for the Lea County Event Center. The motion was seconded by Commissioner Whitehead and passed unanimously.

  - Consideration of Approval of Grant Agreement No.2004105 between Lea County and J.F. Maddox Foundation regarding Bill Cosby Performance on June 16, 2013 at the Lea County Event Center

Director Edwards requested approval of grant. She stated the J.F. Maddox foundation is offered a grant in the amount of $72,950 to help with the performance with Bill Cosby on June 16, 2013, Father's day weekend. Commissioner Dunlap moved to approve the grant agreement No.2004105 between Lea County and J.F. Maddox Foundation regarding Bill Cosby Performance, at the Lea County Event Center. The motion was seconded by Commissioner Whitehead and passed unanimously.

  - Consideration of Approval of Agreement between Lea County and McCloy Rodeo for the Lea County Ranch Rodeo May 3-4, 2013

Director Edwards requested approval. She stated the performance will be the weekend of May 3-4, 2013. The contract is $6,000 and we have used them in the past. Mrs. Kirksey stated we have looked at this contract and we feel it needs some revision. Manager Gallagher recommended to the Commissioners the item be tabled until next meeting to give them time to review. Commissioner Pierce moved to table the consideration of approval of agreement between Lea County and McCloy Rodeo for the

Lea County Ranch Rodeo. The motion was seconded by Commissioner Whitehead and passed unanimously.

• Consideration of Approval of Agreement between Lea County and OKC Backup for Productions at the Lea County Event Center

Director Edwards stated for the OKC item, I had submitted it, but will bring it back for the next meeting. It is not complete at this time. Commissioner Black moved to table the consideration of approval of agreement between Lea County and OKC backup for Productions at the Lea County Event Center. The motion was seconded by Commissioner Whitehead and passed unanimously.

• Consideration of Approval of Lighting Upgrades at the Lea County Fairgrounds Jake McClure Arena

Director Edwards requested approval. She stated in the past we have used generators to help supplement our electric power at the arena and the concert area. We have asked to bring in Lea County Electric Cooperative as the sole provider for the transformers and the electric work. She stated they want to do a three phase project to correct the lighting and the sound in the arena as well as the concert area. Chairman Fulfer asked if there was any written cost data. She stated, not at this time. Chairman Fulfer stated, I suggest we table this until we can get some written cost data. Commissioner Pierce asked if Lea County Electric Cooperative is the only entity that we can get to do this work. She stated they are our sole provider because the generators are serviced by them. Chairman Fulfer stated, let Mr. Needham look at this so he can coordinate with his planning, and get some written pricing data. Commissioner Dunlap moved to table the approval of lighting upgrades at the Lea County fairgrounds Jake McClure arena. The motion was seconded by Commissioner Pierce and passed unanimously.

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

• Discussion of Lea County Subdivisions Report

Director Willis reported in February we issued 14 addresses, we approved four Claim of Exemptions. We are still working on four subdivisions. One of the subdivisions is a 3A. The remaining subdivisions are still waiting on a reply from the State. Chairman Fulfer stated, I would like to find out what the State is using to qualify for water and what we can we do get where our subdivisions will qualify for water. Where do we need to go for the right sample, see what their process is for that, and bring us a report in the next meeting or two.

- **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. He stated this is a proposed gas pipeline that traverses our existing property where our crusher is located. Staff does not see where this would have any adverse impact on our crusher operations in the future. Commissioner Pierce moved to approve the Mid-America Pipeline Company permanent easement across Lea County land. The motion was seconded by Commissioner Dunlap and passed unanimously.

• Discussion of Lea County Road Department Report

Director Needham reported we are rebuilding all of Colfax, La Mesa, Simpson, and East Sanger. Our asphalt crews continue to work on Orla and Six Shooter. Our mowing crews are on the south side of Hobbs and our crushing crew has crushed about 5,000 tons. Commissioner Dunlap stated, I feel we should cut back a little on the chip sealing of the roads and repair the current roads that we do have. Director Needham stated we are trying to get a plan together for this.

• Consideration of Approval of Lea County Resolution No. 13-MAR-012R 2013 Annual Certified County Maintained Mileage Report

Director Needham requested approval. He stated this is a submittal that we have to make with the NMDOT every year with our certified mileage. This year we are submitting 1212.19 miles of roads with 541.3 of that total being cliché roads and 671.6 being paved roads. This is a slight reduction from last year. Commissioner Dunlap moved to approve Lea County Resolution No. 13-MAR-012 2013 Annual Certified County Maintained Mileage Report. The motion was seconded by Commissioner Pierce and passed unanimously.

• Consideration of Approval of Task Order #2013-1 from Lea County to The Ross Group for South Loop Reconstruction, 600 Feet West of Railroad Track to State Highway 18

Director Needham requested approval. He stated this pertains to the Federal Highway Department grant that was brought to the past two meetings being administered through NMDOT to rebuild. This is the task order helping us take care of that work. Commissioner Dunlap moved to approve the task order #2013-1 from Lea County to The Ross Group for South Loop reconstruction, 600 feet west of railroad track to State Highway 18. The motion was seconded by Commissioner Pierce and passed unanimously.

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

  • Consideration of Approval of Accounts Payable

Director Bunch requested approval. Commissioner Whitehead moved to approve accounts payable. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 05: PUBLIC

- **Public**

  • Comments from the Public

  There were no comments from the Public

ITEM 06: 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.

9:54 a.m. Commissioner Pierce 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 Whitehead. Secretary polled the Commission: Commissioner Dunlap, yes; Commissioner Pierce, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

Commissioner Dunlap moved to reconvene in Regular Session. The motion was seconded by Commissioner Pierce and passed unanimously. The meeting reconvened at 10:19 a.m.

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

ITEM 07: EMPLOYMENT

- **Legal**

• Consideration of Approval of Lea County Resolution No. 13-MAR-013R Considering the Recommendation and Findings By a Hearing Officer in an Employee Discipline Matter.

Vice Chairman Black stated, I would like to move that the Commission approve the following resolution. The Lea County Board of Commissioners hereby determines to uphold the recommendation of the hearing officer. The factual and legal basis for the decision, as required by the Personnel Ordinance, is that the employee failed to properly investigate a call for service and this was in violation of department policy. We direct County staff to provide a copy of this resolution and the requirements for filing an appeal, to the employee as provided in the Lea County Personnel Ordinance. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 08: OTHER BUSINESS

There was no other business

The meeting adjourned at 10:20 a.m. by Chairman Fulfer.

BOARD OF COUNTY COMMISSIONERS

LEA COUNTY, NEW MEXICO

Gregory H. Fulfer, Chairman

Mike Whitehead, Vice Chairman

Dale Dunlap, Member

Ron Black, Member

Thomas G Pierce, Member

ATTEST: Pat Chappelle

Lea County Clerk

Kelli Williams

COUNTY CLERK SEAL NEW MEXICO