



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, April 11, 2013

Submit this summary form to the Finance Director Sherri Bunch sbunch@leacounty.net by:
Tuesday, March 26th

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

DATE SUBMITTED dd-mm-yyyy: 03-27-2013		SUBMITTED BY Name/Title/Dept: Kelli Williams, Recording Secretary, Clerk's Dept.	
SUBJECT: Minutes		ATTACHMENT(S): 03/21/2013 Draft 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 03/21/2013 Draft Minutes

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.: None	See Additional Summary Attached <input type="checkbox"/>
---	--

SUBMITTER'S RECOMMENDATION(S): Review & Approve 03/07 Minutes	Submitter's Signature Department Director, Etc. Kelli Williams <small>Digitally signed by Kelli Williams DN: cn=Kelli Williams, o=Lea County Government, ou=Recording Secretary, Clerk's Department, email=k.williams@leacounty.net, c=US Date: 2013.03.28 07:39:04 +0600</small>
--	---

FINANCE REVIEW Fiscal Impact/Cost:	Reviewed by Finance Director
------------------------------------	------------------------------

LEGAL REVIEW:	Reviewed by County Attorney
---------------	-----------------------------

COUNTY MANAGER REVIEW:	Approved by County Manager to be Placed on Agenda <i>M. Gallagher</i> 3/28/13
------------------------	--

RECORDING SECRETARY'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. _____	Policy No. _____	Ordinance No. _____
File No. _____	Continued To: _____	Referred To: _____
Other: _____	Approved: <i>K. Williams 4-11-13</i>	Denied: _____
Comments: _____		



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

Chairman Fulfer called the meeting to order at 9:08 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 Scotty Holloman.

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 March 07, 2013 Minutes

Vice Chairman Black moved to approve the March 07, 2013 minutes. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Discussion of Committee Reports

There were no committee reports

Set/Confirm Next Meeting(s):

- 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 April 11, 2013; Thursday April 25, 2013; Thursday, 2013;** in the Lea County Board of Commissioners Room. Meetings are tentatively set for Thursday, May 9, 2013; and Thursday, May 23, 2013; Thursday, June 6, 2013; Thursday, June 20, 2013; Thursday, July 11, 2013; Thursday, July 25, 2013.

- Consideration of Appointments to Active Boards
 - Lea County DWI Advisory Committee (LCDWIAC):
 - District 1 No appointment was made at this time
 - Lea County Fair Board (LCFB):
 - District 5 Reappoint Silvio Cervantes
 - 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 Road Advisory Committee (LCRAC):
 - District 5 No appointment was made at this time

Commissioner Whitehead 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 was made at this time
 - District 1 No appointment was made at this time

ITEM 02: BOARD/COMMITTEES

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

- Consideration of Recommendation from the Lea County Fair Board for the Approval of First Option to Renew Agreement between Lea County and OKC Backup for Production Services of the 2013 Lea County Fair and Rodeo

Chairman Weber requested approval. He stated this is the first option to renew for six nights. Commissioner Dunlap asked this is for six not seven nights right? Vice Chairman Black moved to approve the first option to renew agreement between Lea County and OKC backup for Production services of the 2013 Lea County Fair and Rodeo. Commissioner Dunlap asked this is for the \$64,900 not \$77,400 right? Director Edwards stated, yes, the cost is the same as last year \$64,900. 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 Lovington Chamber of Commerce to Coordinate the Production of the 2013 Lea County Fair & Rodeo Annual Fair Parade on August 7, 2013.

Chairman Weber requested approval. He stated it is the same as it was last year they do a real good job. Vice Chairman Black moved to approve the Agreement between Lea County and Lovington Chamber of Commerce to Coordinate the

Production of the 2013 Lea County Fair and Rodeo Annual Fair Parade. The motion was seconded by Commissioner Whitehead and passed unanimously.

Vice Chairman Black moved to convene in The Indigent Claims Board at 9:16 a.m. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Lea County Indigent Claims Advisory Board – Mary Lamb, Indigent Claims Specialist**

- Consideration of approval of the Lea County Indigent Claims Burial Report

Claims Specialist Lamb requested approval. She stated I have a total of three requests for indigent burial claims. The first two are from Chapel of Hope for a total of \$1,200 and Griffin Funeral home for \$600, for a grand total of \$1,800. Commissioner Whitehead moved to approve the indigent claims burial report. The motion was seconded by Vice Chairman Black and passed unanimously.

Commissioner Pierce moved to reconvene in regular session at 9:17 a.m. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 03: MANAGER

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

- Consideration of Approval of Travel

Manager Gallagher requested approval. Chairman Fulfer asked, are they starting to require home sprinklers? Manager Gallagher stated, what this would allow him to also look at commercial properties. This is travel that is not an expense to the County, it will be reimbursed by the National Fire Protection Agency. The County does not have any regulations currently on this, but there are potential building codes changes that could affect the county. Commissioner Whitehead moved to approve the travel request. The motion was seconded by Vice Chairman Black and passed unanimously.

- Presentation and Discussion on the Effect of the Federal Sequestration on Lea County

Manager Gallagher reported the effects the federal sequestration will have on Lea County. He stated the cuts will involve no federal funding for the Lea County Regional Tower. The federal PILT payment has been cut about 5%. The High Intensity Drug Task Force and the Lea County Drug Task Force share a cut of around \$53,000. The transportation of federal prisoners has also been cut. All together we are looking at a total impact of \$486,265. Chairman Fulfer stated we should write them a letter. Manager Gallagher stated we can draft a letter.

- Presentation and Discussion of the Lea County Administrative and Judicial Master Plan (Courthouse Study). Architectural Research Consultants, Inc. (ARC) – Andy Aguilar, Institutional Master Planning Facility Planner.

Mr. Aguilar presented a power point presentation. He stated the last time I was here you had requested that I come back this month with some preliminary numbers on square footages so you could get an idea on the magnitude of the project that you have ahead of you. The presentation included the preliminary space needs, the judicial components, and the administrative components, a comparison of preliminary needs to available space in the Courthouse, and a breakdown of what the next steps should be.

ITEM 04: COUNTY DEPARTMENTS

- **Communications Authority – Angela Martinez, Director**
 - Discussion of Lea County Communications Authority Report

Director Martinez presented a power point presentation with the Lea County Communications Authority Report. She reported about the consolidation of the Lea County Sheriff's Department, the Hobbs Police Department, dispatch centers to form the Lea County Communications Authority. She reported on the call volume, retention, reasons for high turnover, and success since the consolidation. She also discussed what is next. Chairman Fulfer asked if there was a report that could be done about response rate. She stated depending on the response codes. Code 1 is no lights or sirens, code 2 is just lights and code 3 is lights and sirens. There are reports I believe on all of the codes.

- **Emergency Management/Environmental Services/Maintenance – Lorenzo Velasquez, Director**
 - Discussion of Lea County Emergency Management Report

Director Velasquez reported there were four grass fires, and 25 medical runs total.

- Discussion of Lea County Environmental Services Report

Director Velasquez reported there were 19 animals taken to the shelters, 63 calls in total. There were 25 environmental calls 18 of those calls were septic related issues. There were 23 tires picked up 11 miles were cleaned with a total of 93 bags picked up. The inmate crew did 40 miles with a total of 122 bags picked up

- Consideration of Approval of Proposal #5 2012 – 2013 between Lea County and Hobbs Iron & Metal for Recycling of Tires & Tubes for the Lea County Landfill and Hobbs Convenience Station

Director Velasquez requested approval. We normally do about two loads a month. We are only allowed to dump four tires per day. Vice Chairman Black moved to approve proposal #5 2012 – 2013 between Lea County and Hobbs Iron & Metal for Recycling of Tires & Tubes for the Lea County Landfill and Hobbs Convenience Station. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval to Award Bid JDK-30-6-12 to G. Sandoval Construction for the Mechanical Upgrade & Roof Repair for the Monument Community Center

Director Velasquez requested approval. He stated their lowest bid was \$54,750 our current budget is \$96,141. Commissioner Dunlap moved to approve bid JDK-K-30-6-12 to G, for roof repair for the Monument Community Center. The motion was seconded by Commissioner Pierce and passed unanimously.

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

- Discussion of Lea County Subdivisions Report and New Mexico Office of the State Engineer Regulations on Water Related to Subdivisions

Director Willis reported there were nine addresses issued in March; we issued two Claim of Exemptions. We are currently reviewing four subdivisions. Lovelady Woodfin, Cielo Grande, La Paloma and Sagebrush. We are waiting for the response back for the State Engineer. Last meeting you had asked me to give a report concerning the water requirements. He stated right now the requirements are for the developer to provide the disclosure in order to file an application. In the disclosure the developer has to show water availability and the sub divider must show the confirmed sufficient water quantity to fulfill the maximum annual water requirements of the subdivision. If the State Engineer determines that geohydrologic conditions has not been demonstrated to be capable of furnishing water in sufficient quantity to fulfill the maximum annual water requirements of the subdivision, additional information may include a geohydrologic report. That would show that the well would be capable of producing water for 40 years. Maximum annual water requirement for both indoor and outdoor purposes shall be 0.6 acre ft. per year. Manager Gallagher stated when the State Engineer gets this report who, is qualified to do it. Director Willis stated it has to be a geologist. Manager Gallagher asked how current does this report need be? Director Willis stated they will accept the most current report that is received. He also reported on House bill 480 and 470. Chairman Fulfer stated maybe we could have Mr. Stokes check on that for us with his expertise in water he could see if we don't have enough information or if there really is not enough water or if it is in certain areas. Mr. Stokes stated a lot of what happens is some of the areas around here are in what are

called critical management areas. That does not mean that there is no water it means that there is not sufficient water for commercial use. There will be plenty of water for domestic use but, the State is not looking at it like that. Penelope Kitchens made a comment about lack of water, and requested taking that into consideration when approving subdivisions.

- **Public Works (Airports/Engineering/Roads) – Corey Needham, Director**

- Discussion of Lea County Road Department Report

Director Needham reported we continue to lay between 40 to 50 miles every two weeks. We replaced several cattle guards. We are concentrating on Six Shooter Road, Simpson Road, Campbell, and Delaware Basin.

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

- Presentation & Discussion of the Lea County Financial Report

Director Bunch presented a financial report as of February 28, 2013. The report included a revenue report and an expenditure report with a comparison between this fiscal year and last year.

- Consideration of Approval of Accounts Payable

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

ITEM 05: PUBLIC

- **Public**

- Penelope Kitchens asked if there has been a decision about the individuals who serve on the Planning and Zoning Board. She believes that there is a conflict of interest, with the subdivisions that are under review right now. She stated that the new members work in the same office. Mr. Gallagher stated we have asked all of the member of these boards if there is an opportunity for conflict of interest we have asked them to recuse themselves, from voting on these subdivisions.

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.

11:05 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.

Vice Chairman Black moved to reconvene in Regular session. The motion was seconded by Commissioner Whitehead and passed unanimously. The meeting reconvened at 12:21 a.m.

- 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 07: OTHER BUSSINESS

There was no other business

Commissioner Pierce moved to break for lunch at 12:22. The motion was seconded by Commissioner Dunlap and passed unanimously.

Commissioner Whitehead moved to reconvene in regular session at 1:10. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 08: OUTSIDE AGENCIES FUNDING REQUEST

- **Administrative Services (Finance/Grants/Information Technology) – Sherri Bunch, Director**
- Presentation of the Outside Agencies Funding Request for FY 2012-2013

The Commission heard requests and presentations from the agencies:

Economic Development Corporation

\$410,000

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

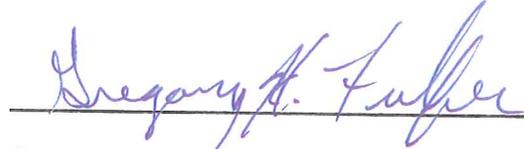
Page 8

My Power	\$25,000
Lovington Chamber of Commerce	\$15,000
Lovington Economic Development Corporation	\$20,000
Main Street – Lovington	\$35,000
New Horizons Resources – NMJC	\$400,000
NMSU Agricultural & Home Extension	\$110,741
Lea Soil & Water Conservation	\$80,000
United States Department of Agriculture	\$50,250
Community Drug Coalition of Lea County	\$377,455
Faith in Action (FIA)	\$14,500
Family Center	\$35,000
Guidance Center of Lea County	\$126,600
Lea County Perinatal	\$126,569
Leaders	\$40,000
My Power	\$25,000
Opportunity House	\$100,000
Palmer Drug Abuse Program	\$35,000
American Red Cross	\$25,000
United Way 211	\$12,500
Big Brother Big Sisters	\$9,000
CASA of Lea County	\$35,000
Center for the Arts	\$25,000
Character Counts	\$8,500
Committee for Hobbs	\$26,500
Hearts Desire	\$9,500
Isaiah's Soup Kitchen	\$7,500
Jal Historical Society	\$281,000
Lea County Humane Society	\$45,000
Lea County Museum	\$70,000
Manna Outreach	\$16,900
Meals to You	\$26,000
Option, Inc.	\$50,000
Salvation Army	\$7,500
Sheri's Memorial Fund	\$50,000
Southwest Symphony	\$10,000
Teen Court	\$15,750

The meeting adjourned at 6:09 p.m. by Chairman Fulfer.

BOARD OF COUNTY COMMISSIONERS

LEA COUNTY, NEW MEXICO



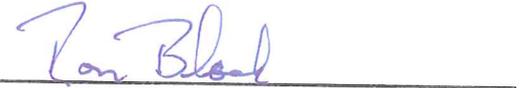
Gregory H. Fulfer, Chairman



Mike Whitehead, ~~Vice Chairman~~



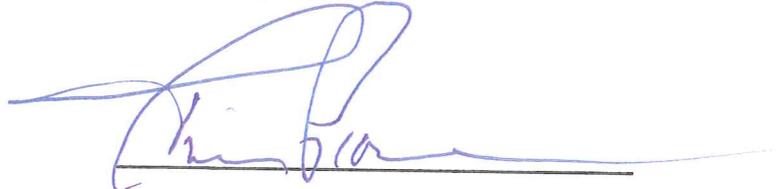
Dale Dunlap, Member



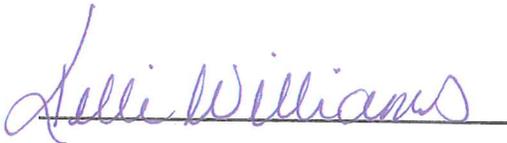
Ron Black, Member *vice chairman*

ATTEST: Pat Chappelle

Lea County Clerk



Thomas G Pierce, Member



Kelli Williams

