

Minutes of Meeting
Lea County Board of Commissioners
October 17, 2013

Chairman Fulfer called the meeting to order at 9:03 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. Vice Chairman Black asked for a moment of silence for Ross Black and expressed his condolences to the family for their loss. He mentioned Ross Black's many accomplishments including being an athlete, coach, starting the Athletic Department at the NMJC, being principal at the Lovington High School, Superintendent of the Lovington Municipal School District, as well as serving as a Lea County Commissioner for eight years some of those years as Chairman, invocation followed.

ITEM 01: COMMISSION

◦ *Board of County Commissioners*

- Consideration of Approval of the September 25, 2013 minutes.

Commissioner Dunlap moved to approve the September 25, 2013 minutes. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Committee Reports

Commissioner Pierce stated I went to teen court and visited with Mr. Garcia recently. I think this is an interesting and a nice organization.

Set/Confirm Next Meeting(s):

- Thursday October 17, 2013 at 6:00 Special Meeting Confirmed
- Thursday, October 31, 2013 at 9:00 a.m. Confirmed
- Thursday, November 14, 2013 at 9:00 a.m. Confirmed
- Thursday, December 5, 2013 at 9:00 a.m. Confirmed
- Thursday, December 19, 2013 at 9:00 a.m. Confirmed

The next meetings will be Thursday, October 17, 2013 at 6:00 p.m. for a Special Meeting in the Bob Moran building at the NMJC, 9:00 a.m. **October 31, 2013; November 14, 2013; December 5, 2013; December 19, 2013** in the Lea County Commission Chambers



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, October 17, 2013

Submit this summary form & all attachments to the Finance Director sbunch@leacounty.net & cc the Executive Coordinator sstout@leacounty.net by:

Tuesday, October 1, 2013

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

| | | | |
|---|---|--|--|
| DATE SUBMITTED mm-dd-yyyy: Wednesday, October 9, 2013 | | SUBMITTED BY Name/Title/Dept: Kelli Williams, Recording Secretary, Clerk's Office | |
| SUBJECT: Minutes | | ATTACHMENT(S): LCBCC 09/25 Draft Minutes | |
| No. of Originals for Signature (Select One): Due in County Manager's Office 2 Days Prior to Meeting 01 One | Action Requested (Select One): Consideration | Agenda Item Placement (Select One): 01 Commission | |

SUMMARY:
See attached draft minutes from the September 25, 2013 Lea County Board of County Commissioners Meeting.

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.:

Easel Laptop Projector Other:

If checked, how many: 00

See Additional Summary Attached

SUBMITTER'S RECOMMENDATION(S):
Review & Approve 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,
Clark's Department,
email=kwilliams@leacounty.net, c=US
Date: 2013.10.09 09:41:24 -0500

FINANCE REVIEW Fiscal Impact/Cost:
ByPass

Reviewed by Finance Director

LEGAL REVIEW:
ByPass

Reviewed by County Attorney

(Note: Travel does not need legal review)

COUNTY MANAGER REVIEW:

Approved by County Manager
to be Placed on Agenda

M Gallagher
10/15/13

RECORDING SECRETARY'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. _____ Policy No. _____ Ordinance No. _____
 File No. _____ Continued To: _____ Referred To: _____
 Other: _____ Approved: *Williams* Denied: _____
 Comments: _____ 10-17-13



**Minutes of Meeting
Lea County Board of Commissioners
September 25, 2013**

Chairman Fulfer called the meeting to order at 9:03 a.m. in the Lea County Regional Airport Commemorative Air Force Hangar.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1, Commissioner Mike Whitehead District 2 via telephone, 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 Commissioners*
- Consideration of Approval of the following minutes:
 - September 12, 2013 Minutes – Workshop Meeting
 - September 12, 2013 Minutes – Regular Meeting

Commissioner Dunlap moved to approve the minutes. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Committee Reports

There were no committee reports

Set/Confirm Next Meeting(s):

- Thursday, October 17, 2013 at 9:00 a.m. Confirmed
- Thursday, October 31, 2013 at 9:00 a.m. Confirmed
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- Thursday, December 5, 2013 at 9:00 a.m. Confirmed
- Thursday, December 19, 2013 at 9:00 a.m. Confirmed

The next meetings will be at 9:00 a.m. **October 17, 2013; October 31, 2013; November 14, 2013; December 5, 2013; December 19, 2013** in the Lea County Commission Chambers

- Consideration of Appointments to Active Boards
 - Lea County DWI Advisory Committee (LCDWIAC):
 - District 1 no appointments at this time

- Public Comment on Lea County Courthouse Remodel & Judicial Complex Study

Curtis Schrader, Mayor of the City of Jal, made comments concerning the Judicial Complex and the importance of the location of new building to the City of Lovington. Tabitha Lawson Executive Director of Lovington Main Street, made comments about more businesses locating on Main Street, and an update on the parking survey. James Williams, Lovington City Manager made comments concerning closing a portion of Love Street.

ITEM 02: AWARDS/RECOGNITION

- **Emergency Manager – Lorenzo Velasquez, Director**
 - Recognition of Lea County's Deputy Fire Marshal Jeff Broom for Receiving the Award "Fire Officer of the Year" from the State of New Mexico Fire Marshal's Office

Director Velasquez stated Deputy Fire Marshal Broom received the "Fire Officer of the Year" award from the State of New Mexico Fire Marshal's Office for his exemplary work throughout Lea County and the State of New Mexico. Director Velasquez presented the plaque to Deputy Fire Marshal Broom. Chairman Fulfer stated congratulations that is quite an honor we appreciate your dedication and hard work, you have made a huge difference in the fire departments and the airline service.

ITEM 03: MANAGER

- **Lea County Manager Michael Gallagher II**
 - Discussion of Lea County Courthouse Remodel and Judicial Complex Study

Manager Gallagher introduced Andy Aguilar to give an update on the Lea County Courthouse Remodel and the Judicial Complex Study. Mr. Aguilar and Mr. Dekker presented a power point presentation to update the progress for the Judicial Complex study and the Courthouse Remodel.

Commissioner Dunlap moved to take a break at 10:15 a.m. The motion was seconded by Commissioner Pierce and passed unanimously.

At 10:24 a.m. Vice Chairman Black moved to convene in regular session. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 13-SEP-037R Adopting FY 2015-2019 Infrastructure Capital Improvement Plan

Manager Gallagher requested approval. He presented a power point presentation with the list of the top ten Infrastructure Capital Improvement Projects. Vice Chairman Black moved to approve Resolution No. 13-SEP-037R Adoption FY 2015-2019 Infrastructure Capital Improvement Plan. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Memorandum of Understanding between Lea County and New Mexico Junior College for the Construction and Operation for an Indoor Equestrian Facility

Manager Gallagher requested approval. He presented a power point presentation explaining the project for the indoor equestrian facility. He stated our Attorney Scotty Holloman also works as the attorney for the New Mexico Junior College, however Dr. McCleery and myself both feel there is not a conflict of interest here. Commissioner Dunlap moved to approve the memorandum of understanding between Lea County and New Mexico Junior College for the Construction and Operation of an Indoor Equestrian facility. The motion was seconded by Commissioner Pierce. Roll call vote Commissioner Dunlap; yes, Commissioner Pierce yes, Commissioner Whitehead; yes, Vice Chairman Black recused himself from voting, Chairman Fulfer yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 13-SEP-038R Supporting the 2014 Legislative Priorities of the New Mexico Association of Counties

Manager Gallagher requested approval. He stated Lea County is a member of the Association of Counties. The main focus of the Association of Counties is to strengthen the counties ability to govern their own affairs and improve the well-being and quality of life of their constitutes. Every year the affiliates meet to look at ways to strengthen and improve legislation and policies to reach the goals of the Association of Counties. The Association of Counties is asking each County to show support through resolution. Commissioner Dunlap moved to approve Resolution No. 13-SEP-38R 2014 Legislative Priorities of Association of Counties. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of a Joint Letter with Government Agencies to the United States Fish & Wildlife Services regarding the Lesser Prairie Chicken

Manager Gallagher requested approval. He stated Lea County has been working with representatives from some of our neighboring counties about coordination with the U.S. Fish and Wildlife regarding their review about listing the lesser prairie chicken as an endangered species. Commissioner Dunlap moved for the approval of a

joint letter with other government entities to the United States Fish and Wildlife Services regarding the lesser prairie chicken. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Travel

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

ITEM 04: LEGAL

- **Lea County Attorney – Scotty Holloman**

- Consideration of Approval Amended and Restated Operating Agreement/Joint Powers Agreement between Lea County, Eddy County, City of Carlsbad, and City of Hobbs for the Eddy-Lea Energy Alliance LLC

Attorney Holloman requested approval. He stated in 2006 the Eddy-Lea Energy Alliance LLC was formed, which owns land between Hobbs and Carlsbad. The purpose was to be able to address potential economic development possibilities that might arise in the energy industry. This will need to be approved by all boards, and then submitted to DFA before going into effect. Commissioner Dunlap moved to approve the amended and restated operating agreement/joint powers agreement between Lea County, Eddy County, City of Carlsbad, and City of Hobbs for the Eddy-Lea Energy Alliance LLC. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 05: COUNTY DEPARTMENTS

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

- Discussion of Lea County Communications Authority Activity Report

Director Martinez stated each agency increased call volume. She gave a brief review of the monthly report. Director Martinez stated on Saturday we began promoting Code Red, we will be continuing this for the next several Saturdays.

- **Detention Center – Padraig Downey, Warden**

- Discussion of Lea County Detention Center Activity Report

Warden Padraig stated during the month of August we billed U.S. marshals in other cities and counties \$215,696. He stated our work crew covered 50.8 miles of County and picked up 399 bags of trash. Our transport teams are active again they transported inmates 5,062 miles back and forth across New Mexico. He stated our

population average for the month of August was 374. There were 95 Federal inmates, 13 juveniles. Currently we are housing 427 inmates 102 of them are federal.

- **DWI Program – Kelly Ford, Director**

- Discussion of Lea County DWI Program Activity Report

Director Ford stated we conducted alcohol and substance screening on 24 offenders, 22 of those being DWI's and 35% of those DWI's were categorized as having a severe dependency problem and 40% of those were categorized as having an established dependency problem. We received 23 new patient cases, two new MIP's, and 11 new misdemeanor cases. Our probation division has an active case load of four hundred eighty.

- Consideration of Approval of Contract for Professional Services between Lea County and Community Drug Coalition of Lea County

Director Ford requested approval. She stated this is not to exceed \$10,000; this is a prevention curriculum for elementary school children. Commissioner Pierce moved to approve the contract for professional services between Lea County and Community Drug Coalition of Lea County. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Contract for Professional Services between Lea County and Teen Court of Lea County, Inc.

Director Ford requested approval. She stated this is not to exceed \$16,000; it is for prevention curriculum for teens and adults. Vice Chairman Black moved to approve the contract between Lea County and Teen Court of Lea County. The motion was seconded by Commissioner Dunlap and passed unanimously.

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

- Discussion of Lea County Emergency Management Activity Report

Director Velasquez stated there are 30 acres burned total for the year, 46 total runs. For the month of August there were 30 medical runs in the County.

- Discussion of Lea County Environmental Services Activity Report

Director Velasquez stated there were 44 animals that went to the shelters, 79 animal control calls. There were 9 illegal dump sites located and cleaned up. For

August there were 38 new addresses issued. October 15-18, 2013 there will be a floodplain management conference at the event center.

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

- Discussion of Lea County Event Center/Fairgrounds Activity Report

Director Edwards stated for the month of July, historically we closed the event center and did not take bookings during the Fair. However this year in the month of July we decided to continue bookings and had increased revenue of over \$32,000 for the past two months. The new sound system has been completed and we are very pleased. She stated I would like to say thank you to the entire County Staff for the support and help we received for Lea County Fair. The attendance was about 100,000 people which is comparable to 2012. We received compliments about the renovations, and the additions to the fairgrounds. She stated the Lovington arena at Lea County Fair and Rodeo is in the top five nominees for best outdoor arena rodeo in the PRCA.

- **Grants Services/planning – David Gasch, Grant Writer & County Planner**

- Discussion of Lea County Grants/Planning Activity Report

Grant & County Planner Mr. Gasch stated there are a total of eight subdivisions open. In the month of August there were three claims of exemption applications received. He continued to review the activity report.

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

- Discussion of Lea County Public Works Activity Report

Director Needham issued a brief summary of the activity report that was issued to the Commissioners.

- Consideration of Approval of Road Task Orders

Director Needham requested approval. He presented a power point presentation to explain the proposed and already completed parts of this project. Commissioner Pierce moved to approve the road task orders with the ability for staff to sign, on behalf of the County. The motion was seconded by Vice Chairman Black and passed unanimously.

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

- Discussion of the Lea County Finance Report

Director Bunch presented a power point presentation with the finance report. She discussed the highlights of the report.

- Consideration of Approval of Lea County Resolution No. 13-SEP-036R Budget Adjustments

Director Bunch requested approval. She stated there was a \$446,000 increase to revenue and a \$662,000 increase to expenditures mainly in the general fund. She stated they are listed in detail in your packet. We also received a budget in detail for the Eddy-Lea Energy Alliance. Chairman Fulfer asked if we bill each entity separately for that. She stated we act more like a bank for them since we are their fiduciary agent; they transferred their cash balance to us and their entire expenditures and revenues funnel through us. Vice Chairman Black moved to approve Lea County Resolution No. 13-SEP-036R Budget Adjustments. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Accounts Payable

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

ITEM 06: PUBLIC

- Public
- Comments from the Public

There were no comments from the public

ITEM 07 EXECUTIVE SESSION

- Board of County Commissioners

At 11:48 a.m. Commissioner Dunlap 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 Vice Chairman Black. 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 Vice Chairman Black and passed unanimously. The meeting reconvened at 12:18 p.m.

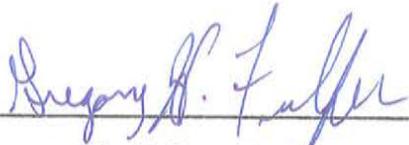
• The Commission convened in closed session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

ITEM 09: OTHER BUSINESS

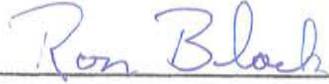
There was no other business

The meeting was adjourned at 12:19 a.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



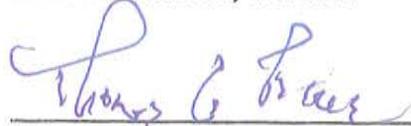
Gregory H. Fulfer, Chairman



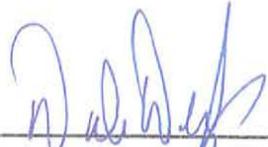
Ron Black, Vice Chairman



Mike Whitehead, Member

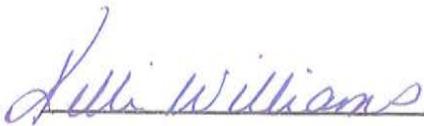


Thomas G. Pierce, Member



Dale Dunlap, Member

ATTEST: Pat Chappelle
Lea County Clerk



Kelli Williams



Sandra Stout-Brito

From: Kelli Williams
Sent: Wednesday, October 09, 2013 9:12 AM
To: Sandra Stout-Brito
Subject: RE:
Attachments: 09-25-2013.docx

Ooops again lol

From: Sandra Stout-Brito
Sent: Wednesday, October 09, 2013 8:36 AM
To: Kelli Williams
Subject: RE:

My first paragraph is missing the time and states at the airport – but our last meeting was here ?

hairman Fulfer called the meeting to order at a.m. in the Lea County Regional Airport Commemorative Air Force Hangar.

Sandra J. Stout-Brito
Executive Coordinator
Lea County Manager/Board of County Commissioners
Lea County Courthouse
100 North Main, Suite 4
Lovington, New Mexico 88260

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From: Kelli Williams
Sent: Wednesday, October 09, 2013 8:29 AM
To: Sandra Stout-Brito
Subject:

Minutes for the meeting
Have a great day