

**Minutes of Meeting
Lea County Board of Commissioners
January 9, 2014,**

Chairman Fulfer called the meeting to order at 9:21 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: ELECTION

- ***Attorney – Scotty A. Holloman***
 - Election of Chairman and Vice Chairman for the Lea County Board of County Commissioners

Attorney Holloman stated, at this time I would like to open the floor for nominations for Chair and Vice Chair for the Lea County Board of County Commissioners. Commissioner Pierce nominated Chairman Fulfer to retain the position as Chairman of the Board. The nomination was seconded by Commissioner Whitehead and passed unanimously. Commissioner Pierce nominated Vice Chairman Black to retain the position as Vice Chairman of the Board. The nomination was seconded by Commissioner Whitehead and passed unanimously. Chairman Fulfer stated I appreciate your confidence in us and look forward to another good year.

ITEM 02: COMMISSION

- **Board of County Commissioners**
- Consideration of Approval of the December 19, 2013 Minutes

Vice Chairman Black moved to approve the December 19, 2013 minutes. The motion was seconded by Commissioner Whitehead and passed unanimously.

Vice Chairman Black moved to move agenda item Presentation of the FY 2012-2013 Financial Audit for Lea County (Johnson Miller & Company – Mary Hinds, CPA) to the bottom of Item number 2. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Discussion of Committee Reports

Commissioner Pierce stated, I am getting feedback about cancellations of meetings on some of the boards, and not having agendas available a couple of days before for some of the meetings. Manager Gallagher stated what might happen is the majority of the members might not be able to make the meeting or sometimes if the Chairman and the Vice Chairman are unable to attend the meeting will be canceled. Manager Gallagher agreed to check on that.

Set/Confirm Next Meeting(s):

- Thursday, January 30, 2014 at 9:00 a.m. – Confirmed
- Thursday, February 13, 2014 at 9:00 a.m.
- Thursday, February 27, 2014 at 9:00 a.m.
- Thursday, March 13, 2014 at 9:00 a.m.
- Thursday, March 27, 2014 at 9:00 a.m.
- Thursday, March 27, 2014 at 1:00 p.m. Outside Agency Funding Request

The next meetings will be 9:00 a.m. **January 30, 2014; February 13, 2014; February 27, 2014; March 13, 2014; March 27, 2014 and March 27, 2014 at 1:00 p.m. Outside Agency Funding Request;** in the Lea County Commission Chambers.

- Consideration of Approval of Appointments to Lea County Active Boards:
 - Lea County Airports Advisory Board
 - District 2 No appointment was made at this time
 - District 5 Re-appoint Gene Armstrong

Vice Chairman Black moved to approve the appointment made to the Airports Advisory Board. The motion was seconded by Commissioner Pierce and passed unanimously.

- Lea County DWI Advisory Committee
 - District 2 No appointment was made at this time
 - District 4 No appointment was made at this time
 - District 5 No appointment was made at this time
- Lea County Environmental Services Advisory Committee
 - District 1 No appointment was made at this time
 - District 2 No appointment was made at this time
 - District 3 Re-appoint Rebecca Long

Vice Chairman Black moved to approve the appointment made to the Environmental Services Advisory Board. The motion was seconded by Commissioner Pierce and passed unanimously.

Chairman Fulfer stated there seems to be some conflicting resolutions for the fair board and some of the other board that need to be cleaned up. I would like a committee designated to clean up these resolutions.

- Lea County Fair Board:
 - District 1 Re-appoint Randy Pettigrew
 - District 2
 - District 3 Re-appoint Corey Helton
 - District 4 Re-appoint Crawford Culp
 - District 5 Re-appoint Deedra Glass

Vice Chairman Black moved to approve the appointments to the Lea County Fair Board. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Lea County Memorial Committee
 - District 1 No appointment was made at this time
 - District 2 No appointment was made at this time
 - District 3 Re-appoint Carol Parish
 - District 4 No appointment was made at this time
 - District 5 Re-appoint Joann Moore

Vice Chairman Black moved to approve the appointments to the Lea County Memorial Committee. The motion was seconded by Commissioner Pierce and passed unanimously.

- Lea County Planning and Zoning Board
 - District 1 Re-appoint Tyler Graham
 - District 2 No appointment was made at this time
 - District 5 No appointment was made at this time

Commissioner Whitehead moved to approve the appointments to the Lea County Planning and Zoning Board. The motion was seconded by Commissioner Pierce and passed unanimously.

- Lea County Road Advisory Committee

There was not a list turned in for this item so it was tabled.

• Consideration of Appointments to Other Active Boards:

- Lea County Water Users Association
- There was not a list turned in for this item so it was tabled.

- Lovington – Lea County Extraterritorial Zoning Commission Reappoint Commissioner Dale Dunlap and Commissioner Ron Black

Chairman Fulfer moved to approve the appointments to the Lea County Extraterritorial Commission. The motion was seconded by Commissioner Pierce and passed unanimously.

- Southeastern New Mexico Economic Development District Council of Governments Reappoint Mike Gallagher and Lisa Hardison

Commissioner Whitehead moved to approve the appointments to the New Mexico Economic Development District Council of Governments. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Presentation of the FY 2012 – 2013 Financial Audit for Lea County (Johnson, Miller & Company – Mary Hinds, CPA)

Mary Hinds with Johnson, Miller & Company, gave a presentation concerning the financial audit for FY 2012-2013. She issued a handout to all of the Commissioners. She stated was submitted to the office of the State Auditor and it was accepted by the required due date. She went through various reports, and reported one compliance finding. She stated there was equipment that was purchased under a grant that was not tagged as purchased with government funds as soon as that was discovered it was corrected. Vice Chairman Black moved to approve the audit. The motion was seconded by Commissioner Dunlap and passed unanimously.

ITEM 03: BOARDS/COMMITTEES

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

At 10:03 a.m. Commissioner Dunlap moved to convene the Indigent Claims Advisory Board. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of the Lea County Indigent Claims Burial/Cremation Report

Indigent Claims Specialist Lamb requested approval. She stated there are a total of five claims on this report. The first claim comes from the City of Hobbs for an opening and closing fee for the amount of \$400. The second is from the Chapel of Hope for a cremation for the total of \$600. The last three claims come from Griffin Funeral Home for cremations for a total of \$1,800. All of these claims come to a total of

\$2,800. Commissioner Dunlap moved to approve the Lea County indigent claims burial/cremation report. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Consideration of Approval of Cremation and Payment for Services of Deceased Lea County Resident**

Indigent Claims Specialist Lamb requested to table this next item there are still some items that need to be lined out before it is considered. Commissioner Dunlap moved to table this item. The motion was seconded by Commissioner Pierce and passed unanimously.

At 10:05 a.m. Vice Chairman Black moved to reconvene in regular session. The motion was seconded by Commissioner Dunlap and passed unanimously.

ITEM 04: MANAGER

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

- **Consideration of Approval of Lea County Resolution No. 14-JAN-001R Open Meeting and Procedures for Lea County**

Manager Gallagher requested approval. He stated this pertains to the way in which the County Commission will advertise, conduct, and hold regular scheduled meetings, workshops, and emergency meetings. This is a resolution that the State requires the Commission to pass annually. Some of the key points are that unless specifically notified all of the meetings will be held here, and unless otherwise specified there will be two regular meeting each month. Notice of regular meetings will be given at least seven days before the meeting. The agenda will be available at least seventy-two hours in advance. He stated emergency meetings may be scheduled within 24 hours in advance by the Chairman or a majority of the members. Commissioner Dunlap moved to approve Lea County Resolution No. 14-Jan-001R Open Meeting and Procedures for Lea County. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 05: COUNTY DEPARTMENTS

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

- **Consideration of Approval of the following 2014-2015 First Option to Renew Agreements for Professional As-Needed Engineering Services between Lea County and:**
 - Pettigrew and Associates
 - The Ross Group

Director Needham requested approval. He stated this is a first option to renew. We use these for a variety of our smaller type projects. He stated I would like to renew these agreements with Pettigrew and Associates, and The Ross Group. Vice Chairman Black moved to approve the first option to renew agreements for professional, as needed, engineering services between Lea County and Pettigrew and Associates and The Ross Group. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of the following 2014-2015 Third option to Renew Agreements for Professional Engineering Testing Services between Lea County and:
 - Pettigrew and Associates
 - Smith Engineering Company

Director Needham requested approval. He stated this is for all of our construction projects whether it is a road way project with dirt work or a vertical project. This is the last year we can renew. He stated there are two firms that are on this contract that I would like to continue with: Pettigrew and Associates and Smith Engineering Company. Commissioner Pierce moved to approve the third option to renew agreements for professional engineering testing services between Lea County and Pettigrew and Associates and Smith Engineering Company. 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. 14-JAN-002R Budget Adjustments

Director Bunch requested approval. She presented a power point presentation with the proposed budget adjustments. She stated if the resolution is approved today our adjustments will be \$3.3 million in revenue, \$3.2 million in expenditures, which has a budgeted ending cash effect on our budget of \$157,000. She continued to explain the budget adjustments as listed on the power point presentation. Vice Chairman Black moved to approve Resolution No. 14-JAN-002R Budget Adjustments. The motion was seconded by Commissioner Whitehead and passed unanimously. Chairman Fulfer stated one of the things that has come up is improving the façade of the Event Center. Director Bunch asked if this was something that was wanted on this year's budget, or if it is wanted on the FY 2014-2015 budget item. Chairman Fulfer stated let's bring it back the next time you have budget adjustments.

- Consideration to Award or Reject Proposal No. 3 2013 – 2014 Public Relations Services

Director Bunch requested to table the next item for continued review. Vice Chairman Black moved to table this item. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Out of State Travel to Attend the Government Finance Officers Association Training in Fort Lauderdale Florida on February 10-14, 2014

Director Bunch requested approval. She stated it is the intention of finance and management staff to submit our budget this year for an award through the Government Finance Officers Association. The award is called the Distinguished Budgets Presentation Awards Program. Vice Chairman Black approved the out of state travel for Director Bunch to attend the government finance officers association training in Fort Lauderdale Florida on February 10, - 14 2014. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of County Fleet Maintenance

Director Bunch presented a power point presentation concerning the County Fleet Maintenance. She stated as you know we have a vehicle tracking software. For this past calendar year 2013 we have been tracking 47 administrative vehicles. She went through a breakdown of the vehicle activity for the 2013 calendar year, and explained how the tracking process and the fleet maintenance process works. Commissioner Pierce asked if we have looked at the option of natural gas for the County. Manager Gallagher stated we got some preliminary estimates on what it would cost to install a natural gas filling station; we would need to have that to convert our vehicles. The preliminary estimates were about \$2 million, coupled with converting the vehicles and purchasing vehicles that run on natural gas. We also have to keep in mind a lot of these vehicles travel long distances and might have difficulty finding a natural gas source. Dr. Robert Rhodes, from the New Mexico Junior College stated this would be a great idea if we had enough cars in this area that ran on natural gas, however we are not quite there yet.

- Consideration of Approval of Accounts Payable

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

ITEM 06: PUBLIC

- **PUBLIC**
 - Comments from the Public

There were no comments from the public

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.

At 10:45 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 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 11:39 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 09: OTHER BUSINESS

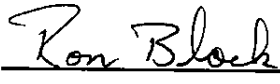
Manager Gallagher requested approval to acquire easement or right of way acquisition along NM 483. Commissioner Pierce moved to approve Manager Gallagher to be granted the authority to acquire easement or right of way acquisition along NM 483. The motion was seconded by Commissioner Whitehead and passed unanimously.

The meeting was adjourned at 11:41 a.m.

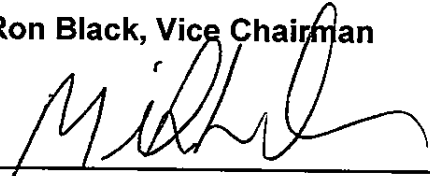
BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



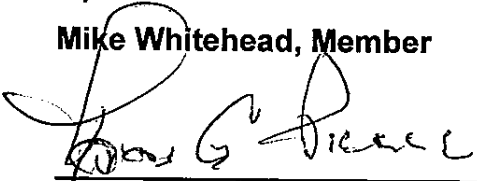
Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman

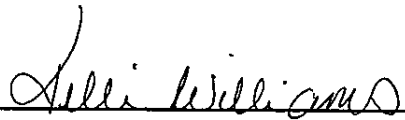


Mike Whitehead, Member



Thomas G. Pierce, Member

ATTEST: Pat Chappelle
Lea County Clerk



Kelli Williams



Dale Dunlap, Member

