



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, February 13, 2014

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

Tuesday, January 28, 2014

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, February 5, 2014		SUBMITTED BY Name/Title/Dept: Kelli Williams/Recording Secretary/Clerk's Department	
SUBJECT: Minutes		ATTACHMENT(S): 01/30/2014 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

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): Emailed to Manager 02/05/2014

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,
Clerk's Department,
email=KWilliams@leacounty.net, c=US
Date: 2014.02.05 16:04:25 -0700

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. G. [Signature]
2/6/14

Manager
Board of County Commissioners

RECORDING SECRETARY'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. _____ Policy No. _____ Ordinance No. _____
 File No. _____ Continued To: _____ Referred To: _____
 Other: _____ Approved: *[Signature]* Denied: _____
 Comments: _____



LEA COUNTY

FEB 05 2014

2-13-14

**Minutes of Meeting
Lea County Board of Commissioners
January 30, 2014,**

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 Scotty Holloman.

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

ITEM 01: COMMISSION

- **Board of County Commissioners**

- Consideration of Approval of the January 9, 2014 Minutes

Commissioner Dunlap moved to approve the January 9, 2014 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, 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. **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
 - Lea County DWI Advisory Committee
 - District 2 No appointment

- District 4 No appointment
- District 5 No appointment
- Lea County Environmental Services Advisory Committee
 - District 1 No appointment
 - District 2 No appointment
 - District 4 No appointment
 - District 5 Re-appoint Van Myrick
- Lea County Fair Board:
 - District 2 Greg Massey
- Lea County Memorial Committee
 - District 1 No appointment
 - District 2 Re-appoint Darrell Powell
 - District 4 No appointment
- Lea County Planning and Zoning Board
 - District 2 Gary Eidson
 - District 5 No appointment
- Lea County Road Advisory Committee
 - District 1 No appointment
 - District 2 No appointment
 - District 3 No appointment
 - District 4 No appointment
 - District 5 No appointment

Vice Chairman Black moved to approve the appointments to Lea County active boards. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Appointments to Other Active Boards:
 - Lea County Water Users Association

Commissioner Pierce moved to table the consideration to other active boards; Lea County Water Users Association. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Lovington – Lea County Extraterritorial Zoning Commission
 - District 1 No appointment

ITEM 02: BOARDS/COMMITTEES

- **Fair Board – Corey Helton, Chairman**

- Consideration of Recommendation from the Lea County Fair Board for the Approval of the 2014 2nd Option to Renew Agreement between Lea County and Andy Stewart, Pro Rodeo Announcer for the 2014 Lea County PRCA Rodeo on August 6-9, 2014

Chairman Helton requested approval. He stated this is to renew the contract with Andy Stewart our Rodeo Announcer for the amount of \$6,000 for 4 performances. Commissioner Dunlap asked if this was the same price as last year. Chairman Helton stated yes it is. Commissioner Dunlap moved to approve the Agreement between Lea County and Andy Stewart, Pro Rodeo Announcer for the 2014 Lea County PRCA Rodeo on August 6-9, 2014. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Recommendation from the Lea County Fair Board for the Approval of Agreement between Lea County and Ham Bone Express 3 for the 2014 Lea County Fair & Rodeo

Chairman Helton requested approval. He stated there was a change for this year for the performances on August 6-9, 2014. Vice Chairman Black moved to approve the agreement between Lea County and Ham Bone Express 3 for the 2014 Lea County Fair & Rodeo. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 03: MANAGER

- **Lea County Manager – Michael P. Gallagher II**
 - Consideration of Approval of Lea County Resolution No. 14-JAN-003R Approving Industrial Revenue Bond Inducement Resolution for DCP Midstream LLC

Manager Gallagher requested approval. He stated this is an inducement resolution related to an industrial revenue bond for DCP Midstream project known as Zia plant 2. This inducement resolution does not guarantee that the County will ultimately enter into the industrial revenue bond, or approve the industrial revenue bond ordinance. It notifies the company that Lea County is interested in pursuing the IRB ordinance and it allows the company to start making purchases with the nontaxable transferable certificates. Manager Gallagher introduced Greg West, Director of Property Taxes; with DCP Midstream. Mr. West introduced, David Griesinger, Managing Director, and David Stone, Vice President, of SE NM Asset. Chairman Fulfer stated we really appreciate this, IRB has been a way to grow our County and it is a great partnership opportunity to work with you. Mr. West stated we are here today because we also feel there is a mutual benefit and partnership to be had. We look forward to putting this together. Vice Chairman Black stated we appreciate your investment in Lea County. Vice Chairman Black moved to approve Lea County resolution No.-14-JAN-003R approving industrial revenue bond inducement resolution for DCP Midstream LLC. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of Capital Appropriations Agreement L-13-1719 to Construct Fire Station at the Lea County Regional Airport

Manager Gallagher requested approval. He stated this is for capital appropriation funding from the State of New Mexico. This is to accept \$110,000 to go towards the construction of a new fire station at the Lea County Regional Airport. Pursuant to the agreement we have to obligate the funds by June 30, 2017. He stated I also seek authority to sign this agreement. Commissioner Dunlap asked, what is the anticipated budget for this project. Manager Gallagher stated we have not gone to RFP for the construction; however we budgeted about \$980,000 for the construction.. Commissioner Pierce moved to approve the Capital Appropriations Agreement L-13-1719 to construct a fire station at the Lea County Regional Airport. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Capital Appropriations Agreement L-13-1721 to Design a Judicial Complex

Manager Gallagher requested approval. He stated this is for capital appropriation funds from the State of New Mexico for \$500,000 for the design of the new Judicial Complex. He stated I seek also authority to sign this agreement. Commissioner Dunlap moved to approve the Capital Appropriations Agreement L-13-1721 to design a Judicial Complex. The motion was seconded by Vice Chairman Black and passed unanimously.

- Discussion of Professional Services Request for Proposals for Judicial Complex Design

Manager Gallagher stated we went through the master plan for the Judicial Complex, as well as the needs assessment for the administrative function of the Lea County Courthouse. The location of the Judicial Complex was approved as of December 19, 2013 so we are now in the process of how we are going to move forward. He presented a proposed project schedule to the Commission, and went through a breakdown of bond capabilities, gross receipts tax, and what the approach might be for the Judicial Complex.

ITEM 04: LEGAL

- **Attorney – Scotty A. Holloman**

- Consideration of Approval of Lea County Resolution No. 14-JAN-004R Lea County Fair and Rodeo Board Policy

Lea County Attorney Holloman requested approval. He stated this is regarding the Lea County Fair and Rodeo Policy. There was a committee formed to clarify the terms that the members would serve, and the course of work the Fair and Rodeo Board

would be responsible for. He stated another thing that was changed was the wording to the Lea County Fair Board to read the Lea County Fair and Rodeo Board Policy. What was suggested is Districts 1,3 and 5 will appoint members on odd number years and districts 2 and 4 will appoint members on even numbered years and they would serve 2 year terms. Commissioner Pierce moved to approve Resolution No.-14-JAN-004R Lea County Fair and Rodeo Board policy. The motion was seconded by Commissioner Dunlap. Commissioner Whitehead stated I know it is our decision I would just like to get an opinion from Corey Helton. Chairman Helton stated I don't oppose anything that was said, we are volunteers. Commissioner Dunlap stated all this is doing is putting the rules all into one document. The vote was unanimous.

- Consideration of Approval of the following Agreements Regarding the Surratt Matter between Lea County and:

- Atwood, Malone, Turner & Sabin, P.A.
- Hinkle, Hensley, Shanor & Martin, L.L.P
- Rodey, Dickason, Sloan, Akin & Robb, P.A.

Lea County Attorney Holloman requested approval. He stated in May of 2013 there was a lawsuit filed against some former employees. He stated according to the way the lawsuits were framed they were filed against certain members of the Lea County Sheriff's Department concerning their operations and the functions of their duties. The lawsuit has been tendered to the insurance company for coverage, and the insurance is covering, however there is a self-insured retention of \$100,000. So we have hired these firms to cover these matters. They are now saying the county has to spend the \$100,000 self-insured retention before the insurance will pay. Commissioner Pierce moved to approve the agreements between Lea County and Atwood, Malone, Turner & Sabin, P.A, Hinkle, Hensley, Shanor, & Martin, L.L.P, and Rodey, Dickason, Sloan, Akin & Robb, P.A. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 05: COUNTY DEPARTMENTS

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

Director Martinez presented the Lea County Communication Authority activity report for the month of December. She stated Hobbs is responsible for 69 percent of the call volume, Lea County Sheriff's office is responsible for 18 percent and Lovington is responsible for 3 percent. The out of town transport has decreased by one for the month of December. The total amount of code red participants is 16,617. On January 24, 2014 there was a code red mass notification.

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

- Discussion of Lea County Detention Center Activity Report

Warden Downey presented the Lea County Detention Center Activity report. He stated for the month of December we billed the U.S. Marshal's service \$192,832. Our work detail covered 49 miles and picked up 427 bags of trash. The average inmate total for the month was 379, the average juvenile total was 10 and the average federal inmate total was 95. He stated total training hours for the month was 251.

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

- Discussion of Lea County DWI Program Activity Report

Director Ford presented the Lea County DWI Program activity report. She stated Topsy Taxi ran 9 nights; we provided 161 people with designated drivers. We provided the service to two local companies who requested the service for their corporate parties. She stated there are 128 active treatment cases, 21 that are new. There are 487 probation cases, 24 new and 30 that were completed for the month. There were 97 community service clients that picked up 94 bags of trash. Manager Gallagher stated I wanted to compliment Kelly Ford, she is working with the New Mexico Association of Counties, and is recently the Vice Chair of the DWI Affiliate, and she is working with the Association of Counties to create the criteria for accredited programs throughout the State establishing some base line criteria.

Chairman Fulfer, stated Mike Gallagher was elected Vice Chair of the Manager Affiliate, and Kristie Parish was elected Treasurer and Secretary of the Risk Managers Affiliate as well.

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

- Discussion of Lea County Emergency Management Activity Report

Director Velasquez presented the Emergency Management Activity Report. He stated for the month of December there was one grassfire run. There were 30 acres total burned for 2013. For the month of December there was 69 EMS runs.

- Consideration of Approval of Sub Grant Agreement EMW-2012-SS-0039-S01-Lea between Lea County and New Mexico Department of Homeland Security & Emergency Management

Director Velasquez requested approval. He stated this is for \$39,310.71. Commissioner Pierce moved to approve the sub grant agreement EMW-2012-SS-0039-S01-Lea between Lea County and New Mexico Department of Homeland Security &

Emergency Management. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of Lea County Environmental Services Activity Report

Director Velasquez presented the Lea County Environmental Services activity report. Thirty-one animals went to the shelters, for a total of 47 animal control calls. There were 23 illegal dump sites located and cleaned. There were 10 addresses covered and 2 flood plain properties were processed.

- Discussion of Lea County Maintenance Activity Report

Director Velasquez presented the Lea County Maintenance activity report. He stated the maintenance report includes everything that was completed on all of the county buildings.

- **Event Center/Fairgrounds/Marketing – Michael P. Gallaher II, County Manager**

- Discussion of Lea County Event Center and Fairgrounds Activity Report

Manager Gallagher presented the Lea County Event Center and Fairground activity report. He stated for the month of December there were nearly 7,200 people that attended the Event Center for events and parties. Just a reminder for the upcoming events B.B King will be here on February 15th 2014, Larry the cable guy will be here on April 5th 2014 and Gabriel Iglesias on April 25th 2014. We will then prepare for some graduations and Phillip Phillips will be here in June.

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

- Discussion of Lea County Grants and Planning Activity Report

Grant Writer & County Planner Gasch presented the grants and planning activity report. He stated for the month of December there was not a planning and zoning board meeting and there were no subdivisions that were prepared for review.

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

- Discussion of Lea County Public Works Activity Report

Director Needham presented the Lea County Public Works activity report. He stated for the month of December there was 5,500 tons of base material hauled to County roads to fix the shoulders of various chip sealed roads. We expect to advertise work on the Hobbs bypass going from Grimes to the Eunice Highway at the end of this month, and start the reconstruction shortly after. He issued a list of possible chip sealed roads for the Commissioners to consider.

Consideration of Approval of State Grant Agreement between Lea County and New Mexico Department of Transportation Aviation Division to Procure Regional Air Transportation Services Pursuant to NMSA 1978, Section 64-1-13-1 and NMAC 11.3 between Hobbs, NM and Houston, TX

Director Needham requested approval. He stated this is for the marketing for the air transportation services. This will be processed through us, with our agreement with the Lea County Economic Development Corporation. Commissioner Dunlap moved to approve the state grant agreement between Lea County and New Mexico Department of Transportation Aviation Division to procure regional air transportation services pursuant to NMSA 1978, section 64-1-13-1 and NMAC 11.3 between Hobbs, NM and Houston, TX. The motion was seconded by Commissioner Pierce and passed unanimously.

- **Administrative Services (Finance/Grants/Information Technology) – Sherri Bunch, Director**
- Discussion of Lea County Finance and Information Technology Activity Report.

Director Bunch presented the County Finance and Information Technology activity report power point. She supplied the Commission with a detailed handout.

- Consideration of Approval of Accounts Payable

Director Bunch requested approval. Commissioner Dunlap moved to approve the 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 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 10:48 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 Whitehead moved to reconvene in Regular Session. The motion was seconded by Commissioner Dunlap and passed unanimously. The meeting reconvened at 12:01 p.m.

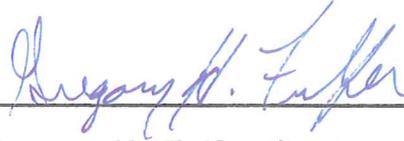
• The Commission convened in Closed Session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

ITEM 09: OTHER BUSINESS

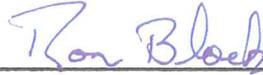
Mr. Gasch held up a map representing the Hobbs School district. Chairman Fulfer stated I wanted to show the Hobbs School District that would be covered if a Hospital District is voted on. I was also getting the dollar assessments between residential and oilfield. It is about 3-1. This is just for education and demonstration purposes at the moment.

The meeting was adjourned at 12:06 p.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



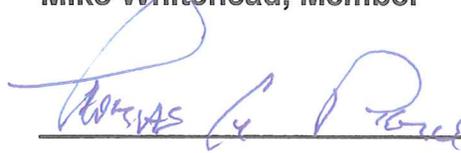
Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman

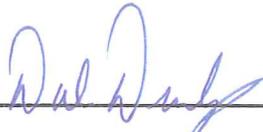


Mike Whitehead, Member

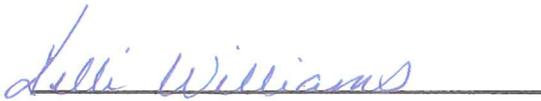


Thomas G. Pierce, Member

ATTEST: Pat Chappelle
Lea County Clerk



Dale Dunlap, Member



Kelli Williams

