



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, April 24, 2014

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

Tuesday, April 8, 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: Tuesday, April 8, 2014	SUBMITTED BY Name/Title/Dept: Kelli Williams, Recording Secretary, Clerk's Department
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SUBJECT: Minute - Regular Meeting	ATTACHMENT(S): Draft Minutes March 27th Regular Meeting
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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
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SUMMARY:  
See attached minutes

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.: <input type="checkbox"/> Easel If checked; how many: 00 <input type="checkbox"/> Laptop <input type="checkbox"/> Projector <input type="checkbox"/> Other:	See Additional Summary Attached <input type="checkbox"/>
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SUBMITTER'S RECOMMENDATION(S): Emailed Manager 04/08 Review & Approve Minutes	Submitter's Signature Department Director, Etc. <b>Kelli Williams</b> <small>Digitally signed by Kelli Williams DN: cn=Kelli Williams, o=Lea County Government, ou=Recording Secretary, Clerk's Department, email=kwilliams@leacounty.nm.us Date: 2014.04.15 16:07:22 -0507</small>
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FINANCE REVIEW Fiscal Impact/Cost: ByPass	Reviewed by Finance Director
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LEGAL REVIEW: ByPass  Note: No Legal Review Required for Accounts Payable & Travel.	Reviewed by County Attorney
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LEA COUNTY COUNTY MANAGER REVIEW:	Approved by County Manager to be Placed on Agenda <i>[Signature]</i> 4/17/14
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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: <i>[Signature]</i> 4/29/14	Denied: _____
Comments: _____		

LEA COUNTY  
APR 08 2014



**Minutes of Meeting  
Lea County Board of Commissioners  
March 27, 2014**

Chairman Fulfer called the meeting to order at 9:15 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, 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 March 13, 2014 Regular Meeting

Vice Chairman Black moved to approve the March 13, 2014 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 17, 2014 at 9:00 a.m. Budget Workshop
- Thursday, April 24, 2014 at 9:00 a.m.
- Thursday, May 08, 2014 at 9:00 a.m.
- Thursday, May 22, 2014 at 9:00 a.m.
- Friday, June 06, 2014 at 9:00 a.m.
- Thursday, June 26, 2014 at 9:00 a.m.
- Thursday, July 24, 2014 at 9:00 a.m.
- Thursday, August 07, 2014 at 9:00 a.m.
- Thursday, August 21, 2014 at 9:00 a.m.

The next meetings will be on. **April 17, 2014 Budget Workshop at 9:00 a.m., and Regular Meetings will be at 9:00 a.m. April 24, 2014, May 08, 2014, May 22, 2014, June 06, 2014, June 26, 2014, July 24, 2014, August 07, 2014 and August 21, 2014.** in the Lea County Commission Chambers.

- Consideration of Approval of Appointments to Lea County Active Boards:
  - Lea County DWI Advisory Committee
    - District 2 No appointment made
    - District 5 Mauricio Valerian
  - Lea County Environmental Services Advisory Committee
    - District 2 No appointment made
    - District 4 No appointment made
  - Lea County Fair and Rodeo Board
    - District 3 Dr. Robert Rhodes
  - Lea County Planning and Zoning Board
    - District 5 No appointment made
  - Lea County Road Advisory Committee
    - District 4 No appointment made

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

**ITEM 02: BOARDS/COMMITTEES**

- **Fair & Rodeo Board – Director Lyn Edwards on Behalf of Corey Helton, Chairman**

- Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of a Budget Adjustment to Purchase Five (5) New Token Machines that will Distribute \$5.00 Tokens for the Lea County Fair & Rodeo

Director Edwards requested approval. She stated this is for a budget adjustment for \$36,000 for the purchase of five new token machines for the Lea County Fair and Rodeo. The new token machines will distribute \$5.00 tokens; this will also allow the purchase of 100,00 \$5.00 tokens. Commissioner Dunlap moved to approve the budget adjustment to purchase five new token machines that will distribute \$5.00 tokens for the Lea County Fair and Rodeo. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of Out of State Travel for Two (2) Fair & Rodeo Members and Two (2) Rodeo Committee Members to attend the Professional Rodeo Cowboys Association (PRCA) Committee Conference April 11-12, 2014 Guthrie, Oklahoma

Director Edwards requested approval. She stated this is to send two fair board members and two rodeo committee members to Guthrie, Oklahoma to the PRCA committee conference, the total cost will be \$2,035. Manager Gallagher pointed out that in January the Commission had signed Resolution 14-JAN-004, it specified committee members are ineligible to travel in place of fair and rodeo board members. Commissioner Whitehead moved to approve the recommendations from the Lea County

Fair & Rodeo Board for the Approval of Out of State Travel Amended for four (4) Fair and Rodeo Board members to attend the Professional Rodeo Cowboys Association (PRCA) Committee Conference April 11-12, 2014 in Guthrie, Oklahoma. The motion was seconded by Vice Chairman Black and passed unanimously.

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

At 9:32 a.m. Vice Chairman Black moved to convene in the Indigent Claims Advisory Board. The motion was seconded by Commissioner Whitehead and passed unanimously.

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

Indigent Claims Specialist Lamb requested approval. She stated this is for the payment for two cremation claims both from the Chapel of Hope for a total of \$1,200. Commissioner Dunlap moved to approve the Lea County Indigent Claims Burial/Cremation report. The motion was seconded by Commissioner Whitehead and passed unanimously.

At 9:33 a.m. Commissioner Whitehead moved to reconvene in regular session. The motion was seconded by Vice Chairman Black and passed unanimously.

**ITEM 03: OUTSIDE ENTITIES**

- **Waste Isolation Pilot Plant (WIPP) – Rose Scott, Intergovernmental/Public Affairs Communications, Nuclear Waste Partnership, LLC, contractor for the U.S. Department of Energy, WIPP Project**

- **Discussion and Update of the Waste Isolation Pilot Plant (WIPP)**

Rose Scott, representative with the WIPP Project, introduced Robert St. John, Senior Media Coordinator, Nuclear Waste Partnership, LLC. He stated this event is still unfolding for us on a daily basis, and we are getting closer to understanding what was going on. He went through a brief recap of the recent events that have happened at the WIPP plant, and the tests that have been conducted thus far. He stated as of today, there is no danger to the public or the environment nor was there ever any danger to the public or environment that was detected. He also went over future transportation training plans. Chairman Fulfer asked what the level of release could be compared to. He stated there were employees that were exposed but the amount of exposure is less than that of a chest x-ray, and the amount that was actually released is equivalent of that of three smoke detectors. He stated [www.wipp.energy](http://www.wipp.energy) is a good resource for updates on the progress of the WIPP plant.

Chairman Fulfer stated I would like to recognize Senator Kernan being here today. She stated WIPP is in my district and they contact me daily I would like to thank them for keeping us updated and well informed.

**ITEM 04: LEGAL**

- **Lea County Attorney – Scotty A. Holloman**

- Consideration of Approval of Lea County Resolution No. 14-MAR-016R Authorizing Purchase of Structures at the Lea County Regional Airport

Attorney Holloman requested approval. He stated this is a resolution that relates to the structures at the Hobbs airport. These are owned by Larry Shed or entities owned by Larry Shed. He stated the master plan of the airport anticipates the terminal and the fire station need to be repurposed, expanded or remodeled. In the result of this it would be necessary to acquire the land where this hangar and office building are located. The proposal is to allow the Shed entities to wait until July 30, 2014 to vacate the hangar, and September 30, 2014 to vacate the office building. This would approve the termination of the lease agreements and authorize the County Manager to sign any documents necessary to complete this transaction. Commissioner Dunlap moved to approve Resolution No. 14-MAR-016R authorizing the purchase of structures at the Lea County Regional Airport. The motion was seconded by Commissioner Whitehead and passed unanimously.

**ITEM 05: COUNTY DEPARTMENTS**

- **Communication Authority – Manager Michael Gallagher on behalf of Angela Martinez, Director**

- Discussion of Lea County Communications Authority Activity Report

Manager Gallagher presented the Lea County Communications Authority Activity report. On April 26<sup>th</sup>, 2014 there will be a clean-up day in Lovington, and we will have a booth set up for Code Red sign ups.

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

- Discussion of Lea County Detention Center Activity Report

Warden Downey presented the Lea County Detention Center Activity Report. He stated in February the detention center billed the U.S. Marshall Service \$177,636 for housing federal inmates. Work detail covered 40 miles and picked up five bags of trash. The daily average inmate population was 383. The daily average federal inmate average was 94, and the average juvenile average was 6.

- **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 we have been working on a mock DWI crash that will take place next week. We have also been preparing for our senior bash activities for our graduates in all five high schools. For community service there were 96 bags of trash picked up.

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

- Discussion of the following Activity Reports
  - Lea County Emergency Management

Director Velasquez presented the Lea County Emergency Management report. He stated for the month of February there were 12 grass fires with a total of seven acres burned. The Sheriff's Department flew Jeff Broom out last night to map out the fire on Highway 508. There were 68 emergency responses.

- Lea County Environmental Services

Director Velasquez presented the Lea County Environmental Services report. He stated there were 59 animals that went to the shelters with a total of 90 animal control calls. There were 16 illegal dump sites located and cleaned.

- Lea County Maintenance

Director Velasquez presented the Lea County Maintenance Report.

- Consideration of Approval of Publication for the following Proposed and/or Amended Lea County Ordinances:

- Animal Control

Director Velasquez requested approval. Commissioner Whitehead moved to approve the publication of the proposed and/or amended animal control ordinance. The motion was seconded by Vice Chairman Black and passed unanimously.

- Fire Control

Director Velasquez requested approval. Commissioner Whitehead moved to approve publication of the proposed and/or amended fire control ordinance. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Liquid Waste

Director Velasquez requested approval. Commissioner Dunlap moved to approve publication of the proposed and/or amended liquid waste ordinance. The motion was seconded by Vice Chairman Black and passed unanimously.

- Solid Waste

Director Velasquez requested approval. Commissioner Dunlap moved to approve publication of the proposed and/or amended solid waste ordinance. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of the New Mexico State Fire Marshal's Office for the Fiscal Year 2015 County Administrative Fire Protection Fund Distribution Applications for the following:

- Lea County
- Knowles Fire Department
- Maljamar Fire Department
- Monument Fire Department

Director Velasquez requested approval. Commissioner Dunlap moved to approve the New Mexico State Fire Marshal's office for the fiscal year 2015 county administrative fire protection fund distribution applications for; Lea County, Knowles Fire Department, Maljamar Fire Department, and Monument Fire Department. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of the Public Employees Retirement Association (PERA) of New Mexico Volunteer Firefighters Annual Reporting for Knowles Fire Department

Director Velasquez requested approval. He stated we have to send an annual report into PERA in order for the volunteer firefighters to qualify, after 25 years as a volunteer fighter, to receive \$100 retirement a month. Commissioner Dunlap moved to approve the Public Employees Retirement Association (PERA) of New Mexico Volunteer Firefighters Annual Reporting for Knowles Fire Department. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval to Submit the following Three (3) Recycling Grant Applications with the New Mexico Environmental Department – Solid Waste Bureau:

- Convenience Center Main Building Addition

Director Velasquez requested approval. He stated since we are doing more recycling, we are getting more people on the list for cardboard. Commissioner Whitehead moved to approve the applications for the recycling grants with the New Mexico Environmental Department – Solid Waste Bureau. The motion was seconded by Commissioner Dunlap. Commissioner Whitehead amended the motion to include only the Convenience Center Main Building Addition Grant. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Oil Recycling Site

Director Velasquez requested approval. Vice Chairman Black moved to approve the recycling grant application with the New Mexico Environmental Department – Solid Waste Bureau for the Oil Recycling Site. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Tire containers at the Convenience Centers in Eunice, Jal, Lovington and Tatum

Director Velasquez requested approval. Commissioner Dunlap moved to approve the recycling grant application with the New Mexico Environmental Department – Solid Waste Bureau for the Tire containers at the Convenience Centers in Eunice, Jal, Lovington, and Tatum. The motion was seconded and passed unanimously.

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

- Discussion of Lea County Event Center/Fairgrounds Activity Report

Director Edwards presented the Lea County Event Center/Fairgrounds activity report. She stated there were 28 event dates for the month of February, with revenues at \$110,000. The Event Center is sold out for our next event and we are looking forward to that running smoothly.

- Consideration of Approval of Agreement between Lea County and Coca-Cola Refreshments USA, Inc. for the Soft Drink Product Representation and Pouring Rights at the Lea County Event Center

Director Edwards requested approval. She stated we use this for catering and for any event we have at the event center. Commissioner Whitehead moved to approve the agreement between Lea County and Coca-Cola Refreshments USA, Inc. for the soft drink product representation and pouring rights at the Lea County Event Center. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Agreement between Lea County and John Berry as Livestock Provider during the Lea County Ranch Rodeo held April 18-19, 2014 at the Lea County Fairgrounds

Director Edwards requested approval. She stated this agreement will be with John Berry to provide 26 head of roping steers to be used at the Lea County Ranch Rodeo. The contract states that the cattle will be furnished at a cost of \$820 including the cost of the freight. Vice Chairman Black moved to approve the agreement between Lea County and John Berry as Livestock provider during the Lea County Ranch Rodeo. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Agreement between Lea County and Bary Clower as Announcer and Judge during the Lea County Ranch Rodeo held April 18-19, 2014 at the Lea County Fairgrounds

Director Edwards requested approval. She stated this contract is with Bary Clower to be the announcer and judge at the Lea County Ranch Rodeo and the cost of his services is \$1,500. Commissioner Whitehead moved to approve the agreement between Lea County and Bary Clower as announcer and judge during the Lea County Ranch Rodeo. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Agreement between Lea County and Kelli Hartley as Producer for a RCRA Sanctioned Women's Ranch Rodeo in Conjunction with the Lea County Ranch Rodeo held April 18-19, 2014 at the Lea County Fairgrounds

Director Edwards requested approval. She stated this contract is with Kelli Hartley as producer for the RCRA sanctioned Women's Ranch Rodeo in conjunction with the Lea County Ranch Rodeo, this will not cost the County any additional funds. Commissioner Dunlap moved to approve the agreement between Lea County and Kelly Hartley as Producer for a RCRA sanctioned Women's Ranch Rodeo in conjunction with the Lea County Ranch Rodeo. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Agreement between Lea County and Jake Jones as Livestock Provider during the Lea County Ranch Rodeo held April 18-19, 2014 at the Lea County Fairgrounds

Director Edwards requested approval. She stated this contract is with Jake Jones for 25 pairs of cattle to be used. Vice Chairman Black moved to approve the agreement between Lea County and Jake Jones as Livestock provider during the Lea County Ranch Rodeo. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Grant Writer/Planning – David Gasch, Administrator**

- Discussion of Lea County Grant Writer/Planning Activity Report

Grant Writer & County Planner Gasch presented the Lea County Grant Writer/Planning activity report. He stated we have two open subdivisions and one open re-plat subdivision. In the month of February we had five claim of exemptions approved.

- Consideration of Approval of Lea County Resolution No. 14-MAR-015R to Submit Grant Application to the U.S. Department of Agriculture – Rural Development for the Rural Business Enterprise Grant (RBEG) Program

Grant Writer & County Planner Gasch requested for this item to be tabled. Commissioner Dunlap moved to table Resolution No. 14-MAR-015R. The motion was seconded by Vice Chairman Black and moved unanimously.

- **Information Technology – Robert Lathrop, Administrator**

- Discussion of Lea County Information Technology Activity Report

Administrator Lathrop presented the Lea County Technology activity report. He stated for the month of February between three technicians and myself there were 580 requests for service.

- **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 February we transported about 5,000 pounds of base, to various county roads. We are complete with the dirt work on Battleax; however we are going to wait until April 15, 2014 to chip seal this road. United Airlines is trending back up again we had a slight dip at the end of February but, it is starting to climb.

- Consideration of Approval of Orla Roadway Phase 2 Task Order

Director Needham requested approval. He stated the original task order was for two miles and that is completed, and will be chip sealed on April 15, 2014. This will comprise of almost eight miles and take it to the curve. Commissioner Dunlap moved to approve Orla Roadway phase 2 task order. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Lea County Resolution No 14-MAR-014R 2014 Annual Certified County Maintained Mileage Report

Director Needham requested approval. He stated this certifies that currently we have 12,018 maintained miles. Commissioner Dunlap moved to approve Resolution No. 14-MAR-014R 2014 Annual Certified County Maintained Mileage Report. The motion was seconded by Vice Chairman Black and passed unanimously.

- **Administrative Services (Finance/Grant Administration) –Sherri Bunch, Director**

- Discussion of Lea County Finance/Grant Administration Activity Report

Director Bunch presented the Lea County Finance/ Grant Administration activity report Power Point.

- Consideration of Approval of Lea County Resolution No. 14-MAR-012R Disposition of Inventory

Director Bunch requested approval. She stated this is a resolution to dispose of inventory. In order to dispose of assets we have to have a resolution approved by the Commission, this list then goes to the Department of Finance and Administration for their approval, then the list will go to the office of the state auditor. After 10 days if everything is approved we will have the authority to dispose. Commissioner Whitehead moved to approve Resolution No. 14-MAR-012R Disposition of Inventory. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-MAR-013R Budget Adjustments

Director Bunch requested approval. She presented a Power Point explaining the proposed budget adjustments. Commissioner Whitehead moved to approve Resolution No. 14-MAR-013R Budget Adjustments. The motion was seconded by Vice Chairman Black and passed unanimously.

- 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 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.

At 11:06 a.m. Commissioner Whitehead 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 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 1:18 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.

09: OTHER BUSINESS

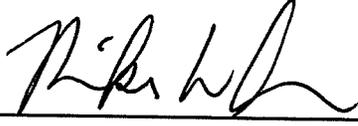
There was no other business

The meeting was adjourned at 1:18 p.m.

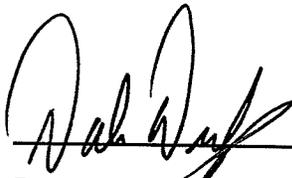
BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO

  
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Gregory H. Fulfer, Chairman

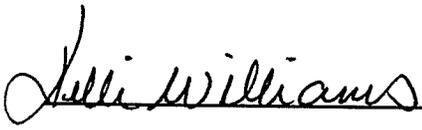
  
\_\_\_\_\_  
Ron Black, Vice Chairman

  
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Mike Whitehead, Member

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Thomas G. Pierce, Member

  
\_\_\_\_\_  
Dale Dunlap, Member

ATTEST: Pat Chappelle  
Lea County Clerk

  
\_\_\_\_\_  
Kelli Williams

