

**Minutes of Meeting  
Lea County Board of Commissioners  
May 29, 2014**

**Chairman Fulfer called the meeting to order at 9:10 a.m. in the Lea County Courthouse.**

**Commissioners present were, to wit: Commissioner Mike Whitehead District 2, Vice Chairman Ron Black District 3, James H. Britton District 4, and Chairman Gregory H. Fulfer District 5.**

**Also present were County Manager Michael P. Gallagher II and County Attorney Scotty A. Holloman.**

**Commissioner Whitehead 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 May 08, 2014 Minutes.

Vice Chairman Black moved to approve the May 08, 2014 regular minutes. The motion was seconded by Commissioner Britton and passed unanimously.

- Discussion of Committee Reports

There were no committee reports

**Set/Confirm Next Meeting(s):**

- 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, **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 Environmental Services Advisory Committee
    - District 2 Leann Whitehead (no relation)
    - District 4 No appointment made
  - Lea County Planning and Zoning Board
    - District 5 No appointment made
  - Lea County Road Advisory Committee



# LEA COUNTY BOARD OF COUNTY COMMISSIONERS

## SUMMARY FORM

LCBCC MEETING DATE: Thursday, May 29, 2014 (Meeting was moved from 5/22)

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

**Tuesday, May 6, 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, May 13, 2014		SUBMITTED BY Name/Title/Dept: Kelli Williams, Recording Secretary, Clerk's Department	
SUBJECT: Minutes		ATTACHMENT(S): Draft Minutes May 8, 2014	
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 minutes

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

Easel If checked; how many: 00     Laptop     Projector     Other:

See Additional Summary Attached

**SUBMITTER'S RECOMMENDATION(S):** Emailed Manager 5/13

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: 2014.05.13 15:51:49 -0500

**FINANCE REVIEW** Fiscal Impact/Cost:  
ByPass

Reviewed by Finance Director

**LEGAL REVIEW:**  
ByPass

Note: No Legal Review Required for Accounts Payable & Travel.

Reviewed by County Attorney

**COUNTY MANAGER REVIEW:**

Approved by County Manager  
to be Placed on Agenda

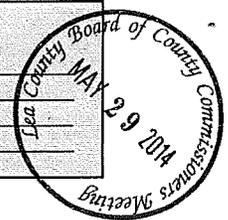
*gm [Signature]*  
5/15/14

LEA COUNTY  
MAY 13 2014

Manager  
Resolution No. \_\_\_\_\_  
File No. \_\_\_\_\_  
Other: \_\_\_\_\_  
Comments: \_\_\_\_\_

### RECORDING SECRETARY'S USE ONLY - COMMISSION ACTION TAKEN

Policy No. \_\_\_\_\_  
Continued To: \_\_\_\_\_  
Approved: *[Signature]* 5-29-14  
Ordinance No. \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied: \_\_\_\_\_



**Minutes of Meeting  
Lea County Board of Commissioners  
May 08, 2014**

Chairman Fulfer called the meeting to order at 9:06 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1 via telephone, Commissioner Mike Whitehead District 2, Vice Chairman Ron Black District 3, James H. Britton District 4, and Chairman Gregory H. Fulfer District 5.

Also present were County Manager Michael P. Gallagher II and County Attorney Scotty A. Holloman.

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

Chairman Fulfer welcomed new member James Britton to the Board.

**ITEM 01: COMMISSION**

- **Board of County Commissioners**
  - Consideration of Approval of the April 24, 2014 Minutes.

Vice Chairman Black moved to approve the April 24, 2014 regular 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, May 29, 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, **May 29, 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 Environmental Services Advisory Committee
    - District 2 No appointment made

- District 4 No appointment made
- Lea County Planning and Zoning Board
  - District 5 No appointment made
- Lea County Road Advisory Committee
  - District 4 No appointment made

**ITEM 02: OUTSIDE ENTITIES**

- **High Intensity Drug Trafficking Area (HIDTA) Region VI Drug Task Force - Byron Wester, Lea County Drug Task Force LCDTF Commander**

- Consideration of Approval to Ratify Grant Application and Agreement No. G14SN0017A between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Program for Fiscal Year 2014 – 2015 for Region VI.

Commander Wester requested approval. Vice Chairman Black moved to approve grant application and agreement No.G14Sn0017A between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area program for fiscal year 2014-2015 for Region VI. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Out of State Travel to Attend the Southern Coast K9 Training at New Smyrna Beach, Florida May 3 - 18, 2014

Commander Wester requested approval. He stated we currently have an agent out of state receiving training and picking up a K9. The plan is to put this dog to use and keep him busy. Commissioner Britton asked how many dogs do we currently have. Commander Wester stated this will be our only one, with our staffing situation he will be all we need for now. Commissioner Whitehead moved to approve the out of state travel to attend the Southern Coast K9 Training at New Smyrna Beach, Florida. The motion was seconded by Commissioner Dunlap and passed unanimously.

**ITEM 03: MANAGER**

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

- Consideration of Approval of Lea County Policy No. 14-MAY-001P Lea County Property Damage

Manager Gallagher requested approval. He stated at the last Commission meeting we discussed the need for a County policy regarding property damage. The purpose of this policy is to assist the department heads and supervisors in holding their employees accountable when they are involved in what we consider a preventable accident, or preventable incident. This includes the type of accidents and the type of

disciplinary actions. Commissioner Britton moved to approve Policy No. 14-MAY-001P Lea County Property Damage. The motion was seconded by Vice Chairman Black and passed unanimously.

- Discussion of Lea County Industrial Park Master Plan

Manager Gallagher stated we acquired an area of land west of Hobbs between the west end of the city limits and NM 483. The County contacted Pettigrew and Associates to help aid in the master plan process of this property. He introduced the team from Pettigrew and Associates that have been working on the planning. Tres Hicks, PE, PS Executive VP, Charity Benton, Marketing Director, Matt Kneeland, PE, PS, Project Surveyor, and Jonathan Carey. They presented a Power Point presentation to explain the proposed Master Plan for the Lea County Industrial Park.

- Consideration of Approval of Travel

There was no travel request at this time.

#### **ITEM 04: COUNTY DEPARTMENTS**

- **Human Resources – Jill Dennis, Director**

- Discussion of Lea County Personnel Ordinance

Director Dennis presented a Power Point presentation with the proposed changes to the Personnel Ordinance. She stated the last time the Personnel Ordinance was updated was in 2002, and it needs to be brought up to date.

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

- Consideration of Approval of Supplemental Lease Agreement No. 1 between Lea County and the U.S. Department of Transportation Federal Aviation Administration for Lease No. DTFASW-10-L-00187 for Office Space

Director Needham requested approval. He stated this is the lease space that is at the base of the tower that is not used anymore. We will vacate the space so that we can use it. Vice Chairman Black moved to approve the supplemental lease agreement No. 1 between Lea County and the U.S. Department of Transportation Federal Aviation Administration for lease No. DTFASW-10-L-00187 for office space. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Discussion of Hangar Minimum Standards at the Lea County Owned Airports

Director Needham stated we have a variety of people who would like to build their own hangars, to people who have architects building hangars. They have noticed there is a difficulty meeting all of the limitations and building requirements. We have consolidated that information into one document as well as added some landscaping and color requirements.

- Consideration of Approval of Easement Agreement between Lea County and Oryx Midstream Services, LLC for Pipeline Project Across Lea County Owned Lands.

Director Needham requested approval. He presented a Power Point to explain the locations of the easement agreement. He stated we have been working for the past month to make sure that the lead pipeline does not seem to be detrimental to the land that Pettigrew and Associates will be working on. The line work and the location also do not seem to be detrimental to our development. Commissioner Dunlap moved to approve the Easement Agreement between Lea County and Oryx Midstream Services, LLC for pipeline project across Lea County owned lands. Lea County Attorney Holloman asked if Commissioner Dunlap would like to modify his motion to include Manager Gallagher being authorized to sign the agreements when they are presented. Commissioner Dunlap amended his motion to include Manager Gallagher's authorization to finalize the agreements. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Hold Harmless roadway – work on Battle Ax

Director Needham requested approval. He stated this will allow primarily oil field companies that are utilizing existing caliche roads to be able to place material, blade and improve the roadways at their cost, to benefit their efficiency. Commissioner Dunlap asked if the material that is used is up to our specifications. Director Needham stated it is in our language on the contracts that it is up to our specifications. Vice Chairman Black moved to approve the hold harmless roadway work on Battle Ax. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Hold Harmless roadway – work on Brininstool

Director Needham requested approval. He stated this is an agreement much like the previous one. Director Needham pulled up a map to show the location of this roadway explaining the condition of the roadway and how much oil field development there is in the area. Commissioner Dunlap moved to approve the hold harmless roadway work on Brininstool. The motion was seconded by Commissioner Britton and passed unanimously.

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

- Consideration of Approval of Lea County Resolution No. 14-MAY-018R FY 2014-2015 Preliminary Budget

Director Bunch requested approval. She presented a Power Point presentation reflecting the timeline and the final preliminary budget. Vice Chairman Black moved to approve Lea County Resolution No. 14-MAY-018R FY 2014-2015 preliminary Budget. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-MAY-019R Procurement Policy

Director Bunch requested approval. She stated at the previous Commission meeting I presented a procurement policy and we had a discussion on how to bring the current procurement policy up to date. Vice Chairman Black moved to approve Lea County Resolution No. 14-MAY-019R procurement policy. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Accounts Payable

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

**ITEM 05: 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 10:56 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 Britton, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

Commissioner Britton moved to reconvene in Regular Session. The motion was seconded by Commissioner Whitehead and passed unanimously. The meeting reconvened at 12:02 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.

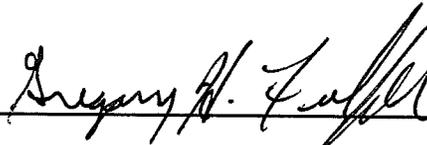
**ITEM 08: OTHER BUSINESS**

- **Lea County Manager – Michael P. Gallagher II**
  - Consideration of Approval for Publication of Proposed Lea County Ordinance – Safety Net Pool Fund

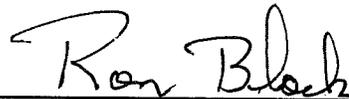
Manager Gallagher requested approval. He stated this is for approval to publish proposed Ordinance No 86. This is an ordinance dedicating in quarterly payments 1/12% of the gross receipts tax reported from the prior fiscal year from people engaging in business in the County. He stated this is to be brought before the Commission on May 29, 2014. Vice Chairman Black approved publication of proposed Lea County ordinance safety net pool fund. The motion was seconded by Commissioner Whitehead and passed unanimously.

The meeting was adjourned at 12:04 p.m.

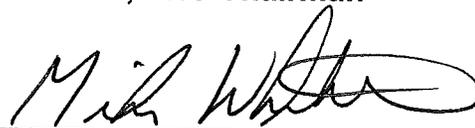
BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO



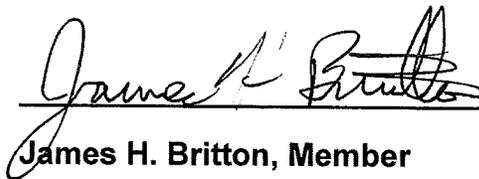
Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman



Mike Whitehead, Member

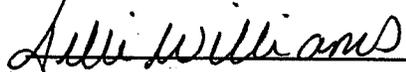


James H. Britton, Member

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

ATTEST: Pat Chappelle

Lea County Clerk



Kelli Williams

