

**Minutes of Meeting
Lea County Board of Commissioners
August 21, 2014**

Chairman Fulfer called the meeting to order at 9:17 a.m. in the Town of Tatum Municipal Building.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1, 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 stated I would like to thank the Town of Tatum for hosting us today.

ITEM 01: COMMISSION

- **Board of County Commissioners**

- Consideration of Approval of the July 24, 2014 Minutes.

Vice Chairman Black moved to approve the June 26, 2014 minutes. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of Committee Reports

Vice Chairman Black stated I appreciate the efforts of the Lea County staff during the Lea County Fair and Rodeo. I received compliments on the appearance and cleanliness of the Fairgrounds. He stated Chairman Fulfer and I attended a meeting with Senator Udall concerning a deal Senator Udall has introduced to stream line the permitted process for wells on BLM land, and transportation issues that we have in the County. Chairman Fulfer stated, I also feel Lea County staff does an excellent job at the Lea County Fair and Rodeo. I attended the meeting with Senator Udall but also attended a meeting in Santa Fe with the Department of Energy concerning the Oil & Gas Industry.

Set/Confirm Next Meeting(s):

- Thursday, September 11, 2014 at 9:00 a.m.
- Thursday, September 25, 2014 at 9:00 a.m. in the City of Jalisco
- Thursday, October 16, 2014 at 9:00 a.m.
- Thursday, October 30, 2014 at 9:00 a.m.
- Thursday, November 7, 2014 at 9:00 a.m. Special Meeting
- Thursday, November 20, 2014 at 9:00 a.m.

- Thursday, December 18, 2014 at 9:00 a.m.

The next meetings will be on, **September 11, 2014** in the Lea County Commission Chambers, **September 25, 2014** in the City of Jal, **October 16, 2014; October 30, 2014; November 7, 2014; Special Meeting, November 20, 2014; and December 18, 2014** in the Lea County Commission Chambers.

- Consideration of Approval of Appointments to Lea County Active Boards:
 - Lea County Memorial Committee
 - District 5 No Appointment made at this time

ITEM 02: OUTSIDE ENTITIES

- **Lea County Health Council – Jackie Ford, Vice Chair**

• Discussion of the Lea County Health Council and the County Maternal & Child Health Plan Act

Vice Chair Ford presented a presentation concerning the Lea County Health Council. Patria Collins, Faith in Action, Executive Director, and Jimmy Masters made comments concerning funding for the Lea County Health Council. A resolution concerning this matter will be brought back at the September 25, 2014 meeting. There was no action taken.

ITEM 03: MANAGER

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

• Consideration of Approval of Lea County Resolution No. 14-AUG-036R Authorizing and Directing the Publication by Title and a General Summary in Accordance with Section 4-37-7 NMSA 1978 of a Proposed Ordinance Amending Lea County, New Mexico Ordinance No. 69

Manager Gallagher requested approval. Commissioner Britton moved to approve to publish notice of intent for Lea County Resolution No. 14-AUG-036R authorizing and directing the publication by title and a general summary in accordance with section 4-37-7 NMSA 1978 of a proposed ordinance amending Lea County, New Mexico Ordinance No. 69. The motion was seconded by Commissioner Whitehead and passed unanimously.

• Consideration of Approval of County Comments regarding New Mexico Mortgage Finance Authority Proposed 2015 Qualified Allocation Plan

Manager Gallagher requested approval. Commissioner Whitehead moved to approve a letter of County Comments regarding New Mexico Mortgage Finance

Authority proposed 2015 qualified allocation plan. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-AUG-037R Approving the FY 2016 – 2020 Infrastructure Capital Improvement Plan

Manager Gallagher requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 14-AUG-037R approving the FY 2016 – 2020 Infrastructure Capital Improvement Plan. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County's Participation in the New Mexico Association of Counties for 2014-2015

Manager Gallagher requested approval. Vice Chairman Black approved Lea County's participation in the New Mexico Association of Counties for 2014-2015. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Nomination to Serve on the National Association of Counties NACO Steering Committee

Manager Gallagher requested approval. Commissioner Britton moved to approve Manager Gallagher's nomination to serve on the National Association of Counties NACO Steering Committee. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Travel

Manager Gallagher requested approval. Commissioner Dunlap moved to approve the out of state travel request. The motion was seconded by Commissioner Whitehead and passed unanimously.

ITEM 04: LEGAL

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

- Consideration of Approval of Lea County Resolution No. 14-AUG-038R Granting a Franchise to Southwestern Public Service Company

Lea County Attorney Holloman requested approval. The original request was amended from 25 years to one year. It is the intent of the Commission to have a franchise policy imposed or evaluated within the next year. Manager Gallagher, Lea County Attorney Scotty Holloman, and Director Corey Needham, will lead the committee in evaluating our current franchise situation. Vice Chairman Black moved to approve Lea County Resolution No. 14-AUG-038R granting a franchise to Southwestern Public

Service Company. Ben Jaime, Manager with SPS Xcel Energy made comments concerning the franchise agreement. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Agreement for Professional Services between Lea County and Atwood, Malone, Turner & Sabin, P.A. regarding the Surratt Matter

Lea County Attorney Holloman requested approval. Commissioner Britton moved to approve the agreement for professional services between Lea County and Atwood, Malone, Turner & Sabin, P.A. regarding the Surratt matter. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Agreement for Professional Services between Lea County and Hinkle, Hensley, Shanor & Martin, L.L.P. Regarding the Surratt Matter

Lea County Attorney Holloman requested approval. Commissioner Britton moved to approve the agreement for professional services between Lea County and Hinkle, Hensley, Shanor & Martin, L.L.P. regarding the Surratt matter. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Agreement for Professional Services between Lea County and Rodey, Dickason, Sloan & Robb, P.A. regarding the Surratt Matter

Lea County Attorney Holloman requested approval. Commissioner Britton moved to approve the agreement for professional services between Lea County and Rodey, Dickason, Sloan & Robb, P.A. regarding the Surratt Matter. The motion was seconded by Commissioner Dunlap and passed unanimously.

Chairman Fulfer stated I would like to recognize Kathi Bearden with the Community Drug Coalition of Lea County. She made comments and introduced the new Executive Director, Rhonda Tyler.

ITEM 05: COUNTY DEPARTMENTS

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

- Discussion of Lea County Communications Authority Activity Report

Director Martinez presented the Lea County Communications Authority Activity report. There was no action taken.

- **Detention Center – Padraig Downey, Warden**
- Discussion of Lea County Detention Center Activity Report

Warden Downey presented the Lea County Detention Center Activity report. There was no action taken.

- Consideration of Approval of Agreement N-14-014 between Lea County and Chaves County for Housing of Juvenile Detainees in Chaves County Juvenile Detention Center

Warden Padraig requested approval. Vice Chairman Black moved to approve the agreement N-14-014 between Lea County and Chaves County for Housing of Juvenile Detainees in Chaves County Juvenile Detention Center. The motion was seconded by Commissioner Dunlap and passed unanimously.

- **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. There was no action taken.

- Lea County Environmental Services

Director Velasquez presented the Lea County Environmental Services report. There was no action taken.

- Lea County Maintenance

Director Velasquez presented the Lea County Maintenance report. There was no action taken.

- Consideration of Approval of 2014 Emergency Management Performance Grant Program Sub-Grant Agreement EMW-2014-EP-00047-S01 between Lea County and New Mexico Department of Homeland Security & Emergency Management

Director Velasquez requested approval. Vice Chairman Black moved to approve the 2014 emergency management performance grant program sub-grant agreement EMW-2014-EP-00047-S01 between Lea County and New Mexico Department of Homeland Security & Emergency Management. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Amendment No. 1 of Sub Grant Agreement EMW-2011-SS-00094-S01-Lea between Lea County and New Mexico Department of Homeland Security & Emergency Management

Director Velasquez requested approval. Commissioner Dunlap moved to approve amendment No. 1 of Sub Grant agreement EMW-2011-SS-00094-S01-Lea between Lea County and New Mexico Department of Homeland Security & Emergency Management. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of 2014-2015 1st Option to Renew Agreement between Lea County and Hobbs Iron & Metal for the Recycling of Tires & Tubes at the Lea County Landfill & Hobbs Convenience Station

Director Velasquez requested approval. Commissioner Dunlap moved to approve 2014-2015 1st option to renew agreement between Lea County and Hobbs Iron & Metal for the recycling of tires & tubes at the Lea County Landfill & Hobbs Convenience Station. The motion was seconded by Commissioner Whitehead and passed unanimously.

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

- Discussion of Lea County Event Center and Lea County Fairgrounds Activity Report

Director Edwards presented the Lea County Event Center and Lea County Fairgrounds activity report. There was no action taken.

- Discussion of Preliminary 79th Annual Lea County Fair & Rodeo Report

Director Edwards presented the preliminary 79th Annual Lea County Fair & Rodeo report power point. There was no action taken. The final report for the Fair & Rodeo is pending.

- Consideration of Approval of Outdoor Display Board Purchase for the Lea County Event Center

Director Edward requested approval. She presented a power point presentation with this item. Rob Auld, owner of Auld Sign Co, made comments concerning the quality of the signs in question, and the company Daktronics. Commissioner Dunlap moved to approve the 10mm outdoor display board purchase for the Lea County Event Center contingent upon extending the warranty for 5 years. The motion was seconded by Commissioner Whitehead and passed unanimously.

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

- Discussion of Lea County Grant Writer/Planning Activity Report

Grant Writer & County Planner Gasch presented the Lea County Grant Writer/Planning activity report. No action was taken.

- Consideration of Approval of Out of State Travel to Attend the Managing Floodplain Development Course at the Emergency Management Institute located in the National Emergency Training Center at Emmitsburg, Maryland on September 14-19, 2014

Grant Writer & County Planner Gasch requested approval. Vice Chairman Black moved to approve the out of state travel to attend the managing floodplain development course at the emergency management institute located in the national emergency training center at Emmitsburg, Maryland on September 14-19, 2014. The motion was seconded by Commissioner Dunlap and passed unanimously.

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

- Discussion of Lea County Human Resources Activity Report

Director Dennis presented the Lea County Human Resources activity report. There was no action taken.

- Consideration of Approval of 2014-2015 2nd Option to Renew Alcohol/Drug Testing Services Agreement between Lea County and American Medical Group, Inc. fka American Medical Services, Inc

Director Dennis requested approval. Commissioner Dunlap moved to approve 2014-2015 2nd option to renew alcohol/drug testing services agreement between Lea County and American Medical Group, Inc. fka American Medical Services, Inc. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of 2014-2015 2nd option to Renew Physical Examinations Program (Pre-Employment and Pre-Law Enforcement) between Lea County and American Medical Group, Inc. fka American Medical Services Inc.

Director Dennis requested approval. Commissioner Dunlap moved to approve 2014-2015 2nd option to renew physical examinations program agreement (pre-employment and pre-law enforcement) between Lea County and American Medical Group, Inc fka American Medical Services Inc. The motion was seconded by Commissioner Whitehead and passed unanimously.

There was a break called at 12:06 p.m.

The meeting returned in session at 12:23 p.m.

- **Information Technology – Gary Hassen, IT Technician, Lea County Sheriff Office**

- Discussion of Lea County Information Technology Activity Report

Technician Hassen presented the Lea County Information Technology activity report. There was no action taken.

- **Probation – Kelly Ford, Director**

- Discussion of Lea County Probation Activity Report

Director Ford presented the Lea County Probation activity report. There was no action taken.

- **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 with a power point presentation. There was no action taken.

- Consideration of Approval of Lea County Resolution No. 14-AUG-039R Acceptance of Federal Aviation Administration Grant for Airport Improvement Project No. 3-35-023-007-2014 for Pavement Rehabilitation on Runway 1-19 at the Jal Airport (E26) in Jal, New Mexico

Director Needham requested approval. There was a power point presentation in conjunction with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 14-AUG-039R acceptance of Federal Aviation Administration Grant for Airport Improvement Project No. 3-35-023-007-2014 for Pavement Rehabilitation on Runway 1-19 at the Jal Airport (E26) in Jal, New Mexico. The motion was seconded by Vice Chairman Black and passed unanimously. Commissioner Dunlap moved the grants for this and the following grants to be signed by Director Needham or Manager Gallagher. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-AUG-040R Acceptance of Federal Aviation Administration Grant for Airport Improvement Project No. 3-35-0027-006-2014 for Pavement Rehabilitation on Runway 12-30 and 3-21 at the Zip Franklin Memorial Airport (E06) in Lovington, New Mexico.

Director Needham requested approval. There was a power point presentation in conjunction with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 14-AUG-040R acceptance of federal aviation grant for airport improvement project No. 3-35-0027-006-2014 for pavement rehabilitation on runway 12-30 and 3-21 at the Zip Franklin Memorial Airport (E06) in Lovington, New Mexico. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-AUG-041R Acceptance of Federal Aviation Administration Grant for Airport Improvement Project No. 3-35-022-021-2014 to Acquire Aircraft Rescue & Fire Fighting ARFF Vehicle for the Lea County Regional Airport (HOB) in Hobbs, New Mexico

Director Needham requested approval. There was a power point presentation in conjunction with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 14-AUG-041R acceptance of Federal Aviation Administration Grant for airport improvement project No. 3-35-022-021-2014 to Acquire Aircraft rescue & fire fighting ARFF vehicle for the Lea County Regional Airport (HOB) in Hobbs, New Mexico. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of the following regarding Lea County Regional Airport (HOB) Rehabilitation Design and High Game Fence Design on Runway 12-30
 - o Federal Grant Application and Agreement between Lea County and U.S. Department of Transportation Federal Aviation Administration for Airport Improvement Project No. 3-35-022-022-2014

Director Needham requested approval. Commissioner Dunlap moved to approve federal grant application and agreement between Lea County and U.S. Department of Transportation Federal Aviation Administration for airport improvement project No. 3-35-022-022-2014. The motion was seconded by Commissioner Britton and passed unanimously.

- o Lea County Resolution No. 14-AUG-042R Acceptance of Federal Aviation Administration Grant for Airport Improvement Project No. 3-35-022-022-2014

Director Needham requested approval. Commissioner Dunlap moved to approve Lea County Resolution No. 14-AUG-042R acceptance of federal aviation administration grant for airport improvement project No. 3-35-022-022-2014. The motion was seconded by Commissioner Whitehead and passed unanimously.

- o State Grant Agreement between Lea County and New Mexico Department of Transportation Aviation Division

Director Needham requested approval. Commissioner Whitehead moved to approve State Grant Agreement between Lea County and New Mexico Department of Transportation Aviation Division. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Professional Services Agreement Task Order No. 10 between Lea County and Molzen-Corbin for Runway 12-30 Design at the Lea County Regional Airport

Director Needham requested approval. Commissioner Dunlap moved to approve the professional services agreement task order No. 10 between Lea County and Molzen-Corbin for Runway 12-30 Design at the Lea County Regional Airport. The motion was seconded by Commissioner Whitehead and passed unanimously.

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

- Discussion of Lea County Finance Department Activity Report

Director Bunch presented the Lea County Finance Department activity report with a power point. There was no action taken.

- Consideration of Approval of Accounts Payable

Director Bunch requested approval. After discussion Vice Chairman Black 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 12:58 p.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 Britton, yes; Commissioner Dunlap, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer, yes.

Vice Chairman Black moved to reconvene in regular session. The motion was seconded by Commissioner Britton and passed unanimously. The meeting reconvened at 1:30 p.m.

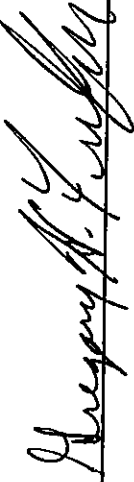
The Commission convened in closed session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

ITEM 08: OTHER BUSINESS

There was no other business

The meeting was adjourned at 1:31 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

