

Item 01010



LEA COUNTY BOARD OF COUNTY COMMISSIONERS

SUMMARY FORM

LCBCC MEETING DATE: Thursday, March 26, 2015

Submit this summary form & all attachments to the Finance Director [clow@leacounty.net](mailto:clow@leacounty.net) & cc the Executive Coordinator [sstout@leacounty.net](mailto:sstout@leacounty.net) by:

Tuesday, March 10, 2015

County Manager Approval ([mgallagher@leacounty.net](mailto:mgallagher@leacounty.net)) required for all time sensitive issues that do not meet the above deadline.

DATE SUBMITTED mm-dd-yyyy: Tuesday, March 17, 2015; Revised Monday, March 23, 2015		SUBMITTED BY Name/Title/Dept: Kelli Williams, Recording Secretary, Lea County Clerk's Dept.	
SUBJECT: Minutes		ATTACHMENT(S): LCBCC 03/12/2015 Draft Minutes - Regular Meeting	
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: 00 how many:  Laptop  Projector  Other:

See Additional Summary Attached

**SUBMITTER'S RECOMMENDATION(S):**  
Review & approve minutes

**Submitter's Signature**  
Department Director, Etc.  
Signature Not Available  
Digitally signed by Signature Not Available  
DN: cn=Signature Not Available, o=Lea County Government, ou=Outside Entity, email=sstout@leacounty.net, c=US  
Date: 2015.03.19.09.45.26 -0500

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

**Reviewed by Finance Director**  
ByPass Finance Review  
Digitally signed by ByPass Finance Review  
DN: cn=ByPass Finance Review, o=Lea County Government, ou=Finance, email=sstout@leacounty.net, c=US  
Date: 2015.03.19.09.45.31 -0500

**LEGAL REVIEW:**  
ByPass Legal Review

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

**Reviewed by County Attorney**  
ByPass Legal Review  
Digitally signed by ByPass Legal Review  
DN: cn=ByPass Legal Review, o=Lea County Government, ou=Legal, email=sstout@leacounty.net, c=US  
Date: 2015.03.19.09.45.47 -0500

**COUNTY MANAGER REVIEW:**

Approved by County Manager to be Placed on Agenda  
*M. J. [Signature]*

**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: \_\_\_\_\_

*3/26/15*

Lea County  
MAR 26 2015  
LCBCC Meeting

**Minutes of Meeting  
Lea County Board of Commissioners  
March 12, 2015**

**Chairman Fulfer called the meeting to order at 9:40 a.m. in the Lea County Courthouse**

**Commissioners present were, to wit: Commissioner Dale Dunlap District 1, Commissioner Rebecca Long District 2, Vice Chairman Ron Black District 3, and Commissioner James H. Britton District 4, and Chairman Gregory H. Fulfer District 5.**

**Also present were County Manager Michael P. Gallagher II and County Attorney John W. Caldwell.**

**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 following Minutes:
    - February 19, 2015 Budget Work Session
    - February 19, 2015 Regular Meeting

Vice Chairman Black moved to approve the February 19, 2015 budget work session, and February 19, 2015 regular minutes. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of Committee Reports

Commissioner Long stated I learned a lot in Washington DC. Vice Chairman Black stated I attended the Fair Board meeting it seems as though things are working out well with Global Spectrum, they are moving ahead and I think we are going to have a good Fair.

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

- Thursday, March 26, 2015 at 8:00 a.m. Budget Workshop
- Thursday, March 26, 2015 at 9:00 a.m.
- Thursday, March 26, 2015 at 1:00 p.m. – Outside Agencies Funding Request(s)
- Thursday, April 9, 2015 at 8:00 a.m. Budget Work Session
- Thursday, April 9, 2015 at 9:00 a.m.
- Thursday, April 23, 2015 at 9:00 a.m.

The next meetings will be on; **March 26, 2015, April 9, 2015, and April 23, 2015** in the Lea County Commission Chambers.

- Comments from the Public

There were no comments from the public.

- Consideration of Approval of Lea County Resolution No. 15-MAR-052R  
Approving Appointments to the Lea County Fair & Rodeo Board

There were no appointments made.

- Consideration of Approval of Lea County Resolution No. 15-MAR-053R  
Approving Appointments to the Lea County Environmental Services Advisory  
Committee

There were no appointments made.

- Consideration of Approval of Lea County Resolution No. 15-MAR-054R  
Approving Appointments to the Lea County Memorial Committee

There were no appointments made.

- Consideration of Approval of Lea County Resolution No. 15-MAR-055R  
Approving Appointments to the Lea County Planning & Zoning Board

Commissioner Dunlap appointed Kay Hardin to the Lea County Planning and Zoning Board. Commissioner Long moved to approve Lea County Resolution No. 15-MAR-055R Approving Appointments to the Lea County Planning & Zoning Board. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-MAR-056R  
Approving Appointment to the Lea County Valuation Protests Board

The Commission appointed Pat Wise as the voting member and Alice Mainello as the Alternate. The Commission also appointed Kallie Windsor as a voting member and David Bradley as an Alternate with experience in the field of property valuation. Commissioner Long moved to approve Lea County Resolution No 15-MAR-056R Approving Appointments to the Lea County Valuation Protests Board. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-MAR-057R  
Approving Appointments to the Lovington – Lea County Extraterritorial Zoning  
Commission

There were no appointments made.

- Consideration of Approval of Lea County Resolution No. 15-MAR-058R Approving Appointments to the Southeast Regional Transportation Planning Organization

The Commission appointed Bruce Reid as the technical committee member, and Commissioner Dale Dunlap as the policy committee member. Vice Chairman Black moved to approve Lea County Resolution No. 15-MAR-058R Approving Appointments to the Southeast Regional Transportation Planning Organization. The motion was seconded by Commissioner Dunlap and passed unanimously.

**ITEM: 02    BOARDS/COMMITTEES**

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

At 9:49 a.m. Commissioner Dunlap moved to convene in the Indigent Claims Advisory Board. The motion was seconded by Vice Chairman Black and passed unanimously.

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

Indigent Claims Specialist Lamb requested approval. Vice Chairman Black moved to approve the Lea County Indigent Claims Burial/Cremation Report. The motion was seconded by Commissioner Britton. Commissioner Dunlap abstained from voting the remainder of the Commissioners voted yes. The motion passed.

At 9:50 a.m. Commissioner Britton moved to reconvene in regular session. The motion was seconded by Commissioner Long and passed unanimously.

**ITEM 03:    OUTSIDE ENTITIES**

- **Lovington Main Street –Kallie Windsor, Vice President**
  - Consideration of Approval of Lea County Resolution No. 15-MAR-059R Approving a Letter of Endorsement for Proposed State of New Mexico's Proclamation Declaring June 19-20, 2015 as Lovington Main Street's 6<sup>th</sup> Annual Smokin' on the Plaza State Championship Barbecue Cook-Off and Celebration

Vice President Windsor with Lovington Main requested approval. Commissioner Dunlap moved to approve Lea County Resolution No. 15-MAR-059R Approving a Letter of Endorsement for Proposed State of New Mexico's Proclamation Declaring June 19-20, 2015 as Lovington Main Street's 6<sup>th</sup> Annual Smokin on the Plaza State

Championship Barbecue Cook-Off and Celebration. The motion was seconded by Vice Chairman Black and passed unanimously.

**ITEM 04: OTHER ELECTED OFFICIALS**

- **Sheriff – Steve Ackerman**

- Consideration of Approval of Lea County Resolution No. 15-MAR-060R for Safer New Mexico Grant Agreement between Lea County and New Mexico Department of Transportation for the following Projects:
  - Project No. 15-AL-64-051 End Driving While Impaired (ENDWI)
  - Project No. 15-ST-RF-051 Selective Traffic Enforcement Program (STEP)

Sheriff Ackerman requested approval. Commissioner Britton moved to approve Lea County Resolution No. 15-MAR-060R for Safer New Mexico Grant Agreement between Lea County and New Mexico Department of Transportation for the ENDWI and the STEP Projects. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Out of State Travel to Attend the Officer Involved Shooting Training Course in Crowley, Texas April 15-17, 2015

Sheriff Ackerman requested approval. Commissioner Long moved to approve out of state travel to attend the officer involved shooting training course in Crowley Texas, April 15-17, 2015. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Out of State Travel to Attend the Leadership and Management Seminar – Conducting and Managing Internal Affairs Investigations in Prescott Valley, Arizona May 18-22, 2015

Sheriff Ackerman requested approval. Commissioner Dunlap moved to approve out of state travel to attend the leadership and management seminar – conducting and managing internal affairs investigations in Prescott Valley, Arizona May 18-22, 2015. The motion was seconded by Commissioner Long and passed unanimously.

**ITEM 05: MANAGER**

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

- Consideration of Approval of Lea County Resolution No. 15-MAR-061R Approving a Memorandum of Agreement for the Design, Construction, and Funding of a 16-Unit Affordable Housing Project Among the City of Eunice, the Eastern New Mexico Regional Housing Authority, and Lea County

Manager Gallagher requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-MAR-061R Approving a Memorandum of Agreement for the Design, Construction, and Funding of a 16-Unit Affordable Housing Project Among the City of Eunice, the Eastern New Mexico Regional Housing Authority, and Lea County. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of Lea County Communications Authority

Manager Gallagher presented a power point presentation concerning the Lea County Communications Authority and the consideration of a possible countywide service tax of 0.125% increase to provide adequate funding for dispatch services. There requires an adoption of an ordinance and an election. Chairman Fulfer asked what about the Board, would you create a public elected Board. Manager Gallagher stated the issuance or approval of any GRT increase would not require the Board changing. Commissioner Long asked if there was a certain dollar amount that needs to be raised or if this will be an ongoing tax. Manager Gallagher stated we could look at a few options, the GRT increment which would be ongoing, with or without a sunset clause; we could also start it at a higher rate to pay for some of the capital and then have the amount go down every year. The Commission asked for comments from each Commissioner. Commissioner Long asked is there a way to lower the overall tax rate where it off sets each other. Manager Gallagher explained there is not. Commissioner Britton asked, is this a LCCA proposal or is this a Commission proposal. Manager Gallagher stated this is neither I am just giving options. Commissioner Britton asked are there any other alternatives. Manager Gallagher stated this is the cleanest and most simplistic. Commissioner Dunlap stated my understanding is we would start it and then go out to all the other entities to join. Vice Chairman Black stated if we keep funding it the way we have been these problems are going to last forever. I am with Commissioner Long I don't like new taxes but, this is a tax that would be voted on by the tax payers. Chairman Fulfer stated there will be some positives and negatives with this, we cannot keep operating the way we are.

- Consideration of Approval of Travel

Manager Gallagher requested approval. He stated this is for travel to Curry County and to the National Association of Counties in North Carolina. Commissioner Dunlap moved to approve the travel. The motion was seconded by Vice Chairman Black and passed unanimously.

**ITEM 06: LEGAL/RISK MANAGEMENT**

- **Attorney – John W. Caldwell**

- Consideration of Approval of Lea County Resolution No. 15-MAR-062R Extending Performance Deadlines in a Project Participation Agreement between Lea County and International Isotopes Inc.

Lea County Attorney Caldwell requested approval. Vice Chairman Black moved to approve the Lea County Resolution No. 15-MAR-062R Extending Performance Deadlines in a Project Participation Agreement between Lea County and Internal Isotopes Inc. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion of Proposed Lea County Ordinance of Rules and Policies on Right-of-Way Permits

Lea County Attorney Caldwell presented a copy of the proposed Lea County Ordinance of Rules and Policies on Right of Way Permits for discussion or changes. Chairman Fulfer asked each Commissioner if they had any changes or comments, there were no comments. Attorney Caldwell stated the next step would be to present this proposed Ordinance at the next meeting with a notice of intent to publish.

**ITEM 07: COUNTY DEPARTMENTS**

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

- Consideration of Approval of Lea County Resolution No. 15-MAR-063R for an Application to New Mexico State Land Office to Make Improvements on Lands in Business Lease No. 1471 at the Zip Franklin Memorial Airport in Lovington

Director Needham requested approval. Commissioner Dunlap moved to approve Lea County Resolution No. 15-MAR-063R for an Application to New Mexico State Land Office to make Improvements of Lands in Business Lease No. 1471 at the Zip Franklin Memorial Airport in Lovington. Commissioner Britton expressed his concerns about the County spending 1.3 million on improvements to the Zip Franklin Airport. The motion was seconded by Commissioner Long Commissioner Britton opposed, all other Commissioners voted yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 15-MAR-064R Approving a Right-of-Way Agreement between Lea County and Southwestern Public Services (SPS) on Portions of Section 32, Township 21S, Range 38E

Director Needham requested to postpone this item. Commissioner Dunlap moved to postpone Lea County Resolution No. 15-MAR-064R Approving a Right of Way Agreement between Lea County and Southwestern Public Services (SPS) on Portions of Section 32, Township 21S, Range 38E. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-MAR-065R Annual Certified County Maintained Mileage Report

Director Needham requested approval. Commissioner Britton moved to approve Lea County Resolution No. 15-MAR-065R Annual Certified County Maintained Mileage Report. The motion was seconded by Commissioner Long and passed unanimously.

- **Administrative Services (Finance/Grant Administration) – Chip Low, Director**

- Consideration of Approval of Lea County Resolution No. 15-MAR-066R Award or Reject Bid No. 09 FY 2014-2015 Grazing Lease of Approximately 1,920 Acres Deeded to Lea County

Director Low requested approval. Commissioner Dunlap moved to approve Lea County Resolution No. 15-MAR-066R Award Bid No. 09 FY 2014-2015 Grazing Lease of Approximately 1,920 Acres Deeded to Lea County. The motion was seconded by Vice Chairman Black and passed unanimously.



- Consideration of Approval of Lea County Resolution No. 15-MAR-067R Ratifying the Payment of Costs and Expenses Incurred and Paid by Lea County during February 2015

Director Low requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-MAR-067R Ratifying the Payment of Costs and Expenses Incurred and Paid by Lea County during February 2015. The motion was seconded by Commissioner Long and passed unanimously.

#### ITEM 08: 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 11:04 a.m. Commissioner Britton moved to convene in Executive Session pursuant to **Section 10-15-1 (H2) (H7) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters and threatened or pending litigation concerning water resources, as authorized by the Open Meetings Act, .** The motion was seconded by Commissioner Long. Secretary polled the Commission. Commissioner Dunlap, yes; Commissioner Britton, yes; Commissioner Long, yes; Vice Chairman Black, yes; Chairman Fulfer, yes.

The meeting reconvened at 12:00p.m.

Chairman Fulfer stated the Commission convened in closed session to discuss limited personnel matters, threatened or pending litigation, concerning water resources. No action was taken by the Commission during closed session.

The meeting was adjourned at 12:01 p.m.

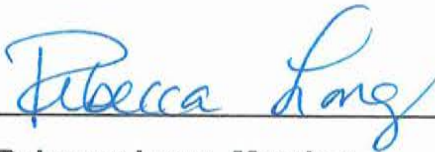
BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO

  
\_\_\_\_\_

Gregory H. Fulfer, Chairman

  
\_\_\_\_\_

Ron Black, Vice Chairman

  
\_\_\_\_\_

Rebecca Long, Member

  
\_\_\_\_\_

James H. Britton, Member

  
\_\_\_\_\_

Dale Dunlap, Member

ATTEST: Pat Chappelle

Lea County Clerk

  
\_\_\_\_\_

Kelli Williams

