

**Minutes of Meeting
Lea County Board of Commissioners
April 23, 2015**

Chairman Fulfer called the meeting to order at 9:19 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:
 - April 10, 2015 Budget Work Session
 - April 10, 2015 Regular Meeting

Commissioner Dunlap moved to approve the April 10, 2015 budget work session, and the April 10, 2015 regular minutes. The motion was seconded by Vice Chairman Black and passed unanimously.

- Discussion of Committee Reports

Commissioner Britton stated I attended the Steering Committee for Lea County Water yesterday, it was an interesting meeting.

Confirm Next Meeting(s):

- Thursday, May 7, 2015 at 9:00 a.m.
- Thursday, May 21, 2015 at 9:00 a.m.

The next meetings will be on; **May 7, 2015 and May 21, 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 15-APR-096R Approving Appointments to the Lea County DWI Advisory Council

There were no appointments made

- Consideration of Approval of Lea County Resolution No 15-APR-097R Approving Appointments to the Lea County Environmental Services Advisory Committee

There were no appointments made

- Consideration of Approval of Lea County Resolution No-15-APR-098R Approving Appointments to the Lea County Memorial Committee

There were no appointments made

- Consideration of Approval of Lea County Resolution No-15-APR-099R Approving Appointments to the Lovington-Lea County Extraterritorial Zoning Commission

Commissioner Dunlap appointed Sally Olivas to the Lovington-Lea County Extraterritorial Zoning Commission. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-099R Approving Appointments to the Lovington-Lea County Extraterritorial Zoning Commission. The motion was seconded by Commissioner Long and passed unanimously.

ITEM: 02 OUTSIDE ENTITIES

- **High Intensity Drug Trafficking Area (HIDTA) Region VI Drug Task Force – Wm. Robert Sullivan, Region Commander**
 - Consideration of Approval of Lea County Resolution No. 15-APR-100R Approving Grant No. G13SN0017A Modification No. 5 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded for 01/01/2013 to 12/31/2014

Region Commander Sullivan requested approval. Commissioner Britton moved to approve Lea County Resolution No. 15-APR-100R Approving Grant No. G13SN0017A Modification No. 5 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded for 01/01/2013 to 12/31/2014. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-APR-101R Approval of Lea County Resolution No. 15-APR-101R Approving Grant No. G14SN0017A Modification No. 2 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded 01/01/2014 to 12/31/2015

Region Commander Sullivan requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-Approving Grant No. G14SN0017A Modification No. 2 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded 01/01/2014 to 12/31/2015. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-APR-102R Approving Application Grant No. G15SN0017A and Modification No. 1 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded 01/01/2015 to 12/31/2016

Region Commander Sullivan requested approval. Lea County Drug Task Force Commander Wester made comments in appreciation of the Commission's support. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-102R Approving Application Grant No. G15SN0017A and Modification No. 1 between Lea County and the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area (HIDTA) Awarded 01/01/2015 to 12/31/2016. The motion was seconded by Commissioner Long and passed unanimously.

- **Lea County Health Council – Lorenzo Velasquez, Member**

- Discussion of the Goals and Outreach Projects of the Lea County Health Council

Lorenzo Velasquez with the Lea County Health Council gave a report on the goals and Outreach projects of the Lea County Health Council. There was no action taken.

- Consideration of Approval of Lea County Resolution No. 15-APR-103R Approving Membership Recommendations from the Lea County Health Council

Lorenzo Velasquez requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-103R Approving Membership Recommendation from the Lea County Health Council. The motion was seconded by Commissioner Dunlap and passed unanimously.

- **Intrepid Potash, Inc. – Robert Balderidge, General Manager**

- Presentation and Discussion of the Intrepid Potash HB Amax Extension Project

Robert Balderidge General Manager with Intrepid Potash presented a power point presentation concerning the Intrepid Potash HB Amax Extension Project. Manager Gallagher stated there are representatives from the Bureau of Land

Management here as well available for questions. George Macdonell, Associate Field Manager with the Bureau of Land Management introduced Howard Parman, Planning and Environmental Coordinator, and Jessica Hubbling, Geologist. Commissioner Long asked are you going to continue to use 89% non-potable water. He stated we are going to continue to maximize that. Robert Jornayvaz, President, CEO Intrepid Potash, made comments concerning non-potable water, the water rights, and the processes they are trying to use to cut down on using fresh water sources. Commissioner Britton asked about the sodium saturation. He stated we are required to sodium saturate the brim, so we take the processed water, along with fresh water and we blend it with salt to bring it up to sodium saturation before we inject it under ground. So all we are dissolving is the potassium salt rather than the sodium salt. Chairman Fulfer asked where you are going to get the water for your 150 years use of Potash reserve. He stated we are trying to reduce our fresh water usage, if you calculate what is owned in water rights based on how much is in reserve we have an adequate amount of water for our operations.

ITEM 03: OTHER ELECTED OFFICIALS

- **Sheriff – Steve Ackerman**

- Consideration of Approval of Lea County Resolution No. 15-APR-104R Authorizing the Approval and Execution of an Application for Enforcement Protection Funds for FY 2015-2016

Sheriff Ackerman requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-104R Authorizing the Approval and Execution of an Application for Enforcement Protection Funds for FY 2015-2016. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Out of State Travel to Attend the Farris Radio Systems User Group Meeting in San Antonio, Texas on April 25-30, 2015

Sheriff Ackerman requested approval. Commissioner Dunlap moved to approve the out of state travel to attend the Farris Radio Systems User Group Meeting in San Antonio, Texas on April 25-30, 2015. The motion was seconded by Commissioner Long and passed unanimously.

ITEM 04: MANAGER

- **MANAGER – Michael Gallagher**

- Consideration of Approval of Travel

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

ITEM 05: LEGAL/RISK MANAGEMENT

- **Attorney – John W. Caldwell**

- Consideration of Approval of Lea County Resolution No. 15-APR-105R Delegating to the County Manager Limited Contract and Grant Approval Authority

Lea County Attorney Caldwell requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-APR-105R Delegating to the County Manager Limited Contract and Grant Approval Authority. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Adoption of Lea County Ordinance No. 86 Establishing Rules and Procedures governing Use of County Right-of Way

Lea County Attorney Caldwell requested approval. Chairman Fulfer opened the floor for public comments. Commissioner Britton moved to approve Lea County Ordinance No. 86 Establishing Rules and Procedures governing Use of County Right of Way. The motion was seconded by Commissioner Long and passed unanimously.

- Discussion of County Policy on Use of County Aircraft

Lea County Attorney Caldwell presented a discussion on a policy on the use of the County aircraft. There was no action taken.

ITEM 06: COUNTY DEPARTMENTS

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

- Discussion of Lea County Communication Authority Activity Report

Director Martinez presented the Lea County Communication Authority activity report. There was no action taken.

- Discussion and Update on the Accreditation of the Lea County Communication Authority

Director Martinez presented the update on the accreditation of the Lea County Communication Authority. LCCA was the first 911 center in New Mexico to submit for accreditation and was approved through the Municipal League and the NMAC as well as the Professional Standards Council. We are also the first State in the nation to have an accreditation program that we developed.

- Consideration of Approval of Lea County Resolution No. 15-APR-106R Approving Memorandum of Agreement between Lea County and City of Lovington for Communication Tower Location

Director Martinez requested approval. She stated this is for two resolutions. Resolution No.15-APR-106R was split into Resolution A and Resolution B. The first one is asking for approval for an agreement between Lea County and the City of Lovington to place a Communication Tower on Lovington's property. Commissioner Dunlap moved to approve Lea County Resolution No. 15-APR-106R-A Approving Memorandum of Agreement between Lea County and City of Lovington for Communication Tower Location. The motion was seconded by Vice Chairman Black and passed unanimously.

She stated the second resolution not on the agenda is Lea County Resolution No. 15-APR-106R-B Agreement between Lea County and City of Lovington to share equally the cost to construct a Communication Tower. Chairman Fulfer stated we have a joint powers agreement with Hobbs, they should split the cost. Commissioner Dunlap moved to postpone Lea County Resolution 15-APR-106R-B approving an agreement between Lea County and the City of Lovington New Mexico to Build a New Communication Tower. The motion was seconded by Vice Chairman Black and passed unanimously.

- **Detention Center – Pdraig Downey, Warden**
 - Discussion of Lea County DWI/Probation Activity Report

Warden Pdraig presented the Lea County DWI/Probation activity report. There was no action taken.

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

- Discussion of the following Activity Reports

- Lea County Emergency Management

Director Velasquez presented the Lea County Emergency Management activity report. There was no action taken.

- Lea County Environmental Services

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

Chairman Fulfer called for a break at 11:11 a.m. The meeting reconvened at 11:26 a.m.

- **Event Center/Fairgrounds – Kevin Jolley, General Manager**

- Discussion of Lea County Event Center/Fairgrounds Activity Report

General Manager Jolley presented the Lea County Event Center/Fairgrounds activity report. There was no action taken.

- **Facilities – Erich Francke, Director**

- Discussion of Lea County Facilities Activity Report

Director Francke presented the Lea County Facilities activity report. There was no action taken.

- Consideration of Approval of Lea County Resolution No. 15-APR-107R Approving a Memorandum of Understanding between Lea County and City of Lovington for Walking Path from Chaparral Park to Lea County Courthouse

Director Francke requested approval. He presented a power point map with this item. Commissioner Britton moved to approve Lea County Resolution No. 15-APR-107R Approving a Memorandum of Understanding between Lea County and City of Lovington for Walking Path from Chaparral Park to Lea County Courthouse. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-APR-108R Approving an Agreement for the Architectural Design of the Indoor Equestrian Facility.

Director Francke requested approval. He presented a power point presentation with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 15-APR-108R Approving an Agreement for the Architectural Design of the Indoor Equestrian Facility. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-APR-109R Approving an Agreement for the Lea County Health Complex

Director Francke requested approval. He presented a power point presentation with this item. Commissioner Britton moved to approve Lea County Resolution No. 15-APR-109R Approving an Agreement for the Lea County Health Complex. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Discussion and Update on the Process of the Lea County Judicial Complex Building

Director Francke presented an update by power point on the Judicial Complex Building. There was no action taken.

- Discussion and Update on the Jake McClure Arena Improvements

Director Francke presented an update by power point presentation on the Jake McClure arena Improvements. There was no action taken.

- Discussion and Update on the Lea County Annex/Dalton Tabor Building

Director Francke presented an update by power point presentation on the Lea County Annex/Dalton Tabor building by power point. There was no action taken.

- **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.

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

- Discussion of Lea County Information Technology Activity Report

Administrator Lathrop presented the Information Technology activity report. There was no action taken.

- **Planning – Bruce Reid, County Planner**

- Discussion of Lea County Planning Activity Report

Lea County Planner Reid presented the Lea County Planning 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. He presented a power point presentation with this item. There was no action taken.

- Consideration of Approval of Lea County Resolution No. 15-APR-110R Award or Reject Proposal No. 05 2014-2015 Architectural Services – Design of Terminal Expansion

Director Needham requested approval. He presented a power point presentation with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 15-APR-110R Award or Reject Proposal No. 05 2014-2015 Architectural Services – Design of Terminal Expansion. The motion was seconded by Vice Chairman Black and passed unanimously.

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

- Discussion of Lea County Finance Activity Report

Director Low presented the Lea County Finance activity report. There was no action taken.

- Consideration of Approval of Lea County Resolution No. 15-APR-111R Budget Adjustments

Director Low requested approval. He presented a power point presentation with this item. Commissioner Britton moved to approve Lea County Resolution No. 15-APR-111R Budget Adjustments. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-APR-112R Ratifying the Payment of Costs and Expenses Incurred and Paid by Lea County during March and April 2015

Director Low requested approval. Commissioner Dunlap moved to approve Lea County Resolution No. 15-112R Ratifying the Payment of Costs and Expenses Incurred and Paid by Lea County during March and April 2015. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 07: EXECUTIVE SESSION

- **Board of County 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 1:10 p.m. Commissioner Dunlap 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 rights, contracts, and taxes, in which the County may become a participant as authorized by the Open Meetings Act, .** The motion was

seconded by Commissioner Long, Secretary polled the Commission. Commissioner Dunlap, yes; Commissioner Long, yes; Commissioner Britton, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

The meeting reconvened at 3:20 p.m.

Chairman Fulfer stated the Commission convened in closed session to discuss limited personnel matters, threatened or pending litigation, concerning water rights, contracts and taxes which the public body is or may become a participant. No action was taken by the Commission during closed session. Let the record reflect that only those subjects announced for going into closed session were discussed.

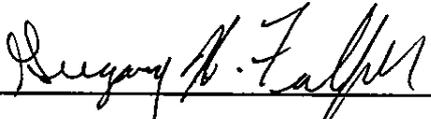
ITEM 08: OTHER BUSINESS

- **Board of County Commissioners**

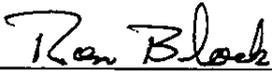
There was no other business

The meeting was adjourned at 3:21 p.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



Gregory H. Fulfer, Chairman



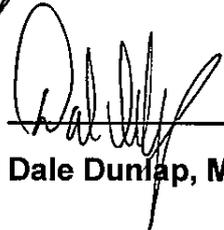
Ron Black, Vice Chairman



Rebecca Long, Member



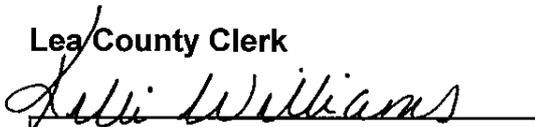
James H. Britton, Member



Dale Dunlap, Member

ATTEST: Pat Chappelle

Lea County Clerk



Kelli Williams

