

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

Chairman Fulfer called the meeting to order at 9:27 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, 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 a moment of silence to honor Robin Merritt an employee of the Lea County Detention Center followed by the Invocation by Vice Chairman Black.

ITEM 01: COMMISSION

- **Board of County Commissioners**

- **Consideration of Approval of the Following Minute:**

- **October 29, 2015 Work Session Regarding the Lea County Fair & Rodeo & the Lea County Fair & Rodeo Board**
- **October 29, 2015 Regular Minutes**
- **October 29, 2015 Special Joint Meeting with City of Hobbs & City of Lovington**

Commissioner Britton moved to approve the minutes of the October 29, 2015 Work session regarding the Lea County Fair & Rodeo & the Lea County Fair & Rodeo Board, the regular minutes and the Special joint meeting with the City of Hobbs & City of Lovington. The motion was seconded by Commissioner Long and passed unanimously.

- **Discussion of Committee Reports**

Commissioner Britton stated I attended the Urenco farewell ceremony for 3 employees retiring.

Confirm Next Meeting(s):

- **Thursday, December 17, 2015 at 9:00 A.M**
- **Thursday, January 14, 2016 at 9:00 A.M.**
- **Thursday, February 04, 2016 at 9:00 A.M.**

The next meetings will be on **December 17, 2015, January 14, 2016, and February 04, 2016** in the Lea County Commission Chambers.

- Comments from the Public

Andrew Akufo Executive Director, Lea County Commission for the Arts made comments concerning the Joe and Joyce Walker awards that will be November 21st 2015, at the Lea County Event Center.

- Consideration of Approval of Lea County Resolution No. 15-NOV-230R Approving Appointments to the Lea County Environmental Services Advisory Committee.

There were no appointments made

- Consideration of Approval of Lea County Resolution No. 15-NOV-231R Approving Appointments to the Lea County Memorial Committee

There were no appointments made

ITEM 02: BOARDS/COMMITTEES

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

At 9:31 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. Commissioner Dunlap moved to approve the Lea County Indigent Claims Burial/Cremation Report. The motion was seconded by Commissioner Long and passed unanimously.

At 9:32 a.m. Commissioner Dunlap moved to reconvene in regular session. The motion was seconded by Commissioner Long and passed unanimously.

ITEM 03: OTHER ELECTED OFFICIALS

- **Sheriff – Steve Ackerman**

- Consideration of Approval of Lea County Resolution No. 15-NOV-232R Authorizing an Agreement between Lea County and the Defense Logistics Agency for Emergency Equipment – Mine-Resistant Ambush Protected (MRAP) for Use by the Lea County Sheriff's Department and First Responders in Lea County

Sheriff Ackerman requested approval. Vice Chairman Black moved to approve Lea County Resolution No. 15-NOV-232R Authorizing an Agreement between Lea County and the Defense Logistics Agency for Emergency Equipment – Mine-Resistant Ambush Protected (MRAP) for Use by the Lea County Sheriff's Department and First Responders in Lea County. The motion was seconded by Commissioner Long and passed unanimously.

ITEM 04: Manager

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

- Consideration of Approval of Lea County Resolution No. 15-NOV-233R Approving an Industrial Revenue Bond Inducement for AKUO Energy USA – Sterling Wind Project

Manager Gallagher requested approval. He presented a power point presentation with this item. Thomas Cote, Chairman of the Board, CEO of AKUO Energy USA, made comments explaining the Sterling Wind project, and AKUO Energy USA. Vice Chairman Black moved to approve an Industrial Revenue Bond Inducement for AKUO Energy - USA Sterling Wind Project. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-NOV-234R Approving an Agreement between Lea County and New Heights Group for Professional Consulting Services regarding County Health Care Funding Mandates

Manager Gallagher requested approval. He presented a power point with this item. Commissioner Long moved to approve Lea County Resolution No. 15-NOV-234R Approving an Agreement between Lea County and New Heights Group for Professional Consulting Services regarding County Health Care Funding Mandates. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 15-NOV-235R Approving the 2016 Lea County Employee Holiday Calendar

Manager Gallagher requested approval. He presented a power point with this item. Commissioner Dunlap moved to approve Lea County Resolution No. 15-NOV-235R Approving the 2016 Lea County Employee Holiday Calendar. The motion was seconded by Vice Chairman Black and passed unanimously.

- Discussion of New Mexico Association of Counties Legislative Priorities

Manager Gallagher presented a discussion of the New Mexico Association of Counties Legislative Priorities. He presented a power point with this item.

- Consideration of Approval of Travel

Manager Gallagher requested approval. Vice Chairman Black moved to approve the travel request to Albuquerque to the NMAC Managers Affiliate Meeting. The motion was seconded by Commissioner Long and passed unanimously.

ITEM 05: LEGAL

- **Attorney – John W. Caldwell**
 - PUBLIC HEARING: Consideration of Approval of Lea County Resolution No. 15-NOV-236R Regarding the Wagon Train LLC (Border Bar) Liquor License Application

At 10:07 a.m. Chairman Fulfer placed Attorney John W Caldwell under oath and Called for Public Hearing.

Attorney Caldwell requested approval. He stated this is an application to transfer operation of a liquor license from Border Bar to Wagon Train LLC. This was primarily approved through the state; however the Board of County Commission is required to hold this hearing. There are three basis to deny this hearing application: the first being if it is located to close to a public school, or a church, second it would need to violate a county zoning ordinance, and the third would be that the board finds, on specific evidence presented to the board, that it violates public safety, well fare or morale. Notice has been published on October 11, 2015, and October 22, 2015 as required. Chairman Fulfer opened the floor for public comments there were no public comments. Commissioner Britton asked if this location has had any violations say in the last ten years for illegal sale to minors or any other violations related to alcohol sales. Chairman Fulfer placed Sheriff Ackerman under oath. Sheriff Ackerman stated that is not our jurisdiction and we have not been informed of any. Commissioner Britton moved to approve of Lea County Resolution No. 15-NOV-236R Regarding the Wagon Train LLC (Border Bar) Liquor License Application. The motion was seconded by Commissioner Dunlap and passed unanimously.

At 10:12 Chairman Fulfer closed the Public Hearing

ITEM 06: COUNTY DEPARTMENTS

- **Communications Authority – Allie Miles, Preventionist**
 - Discussion of Lea County Communication Authority Activity Report

Preventionist Miles presented the Lea County Communications activity report. 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. No action taken.

- **DWI/Probation – Allie Miles, Preventionist**
 - Discussion of Lea County DWI/Probation Activity Report

Preventionist Miles presented the Lea County DWI/Probation activity report. No action taken.

- **Emergency Management – Lorenzo Velasquez, Director**
 - Discussion of Lea County Emergency Management Activity Report

Director Velasquez presented the Lea County Emergency Management activity report. No action taken.

- **Environmental Services – Lorenzo Velasquez, Director**
 - Discussion of Lea County Environmental Services Activity Report

Director Velasquez presented the Lea County Environmental Services activity report. No action taken.

- **Event Center/Fairgrounds – Jake Crumb, General Manager**
 - Discussion of Lea County Event Center and Fairgrounds Activity Report.

General Manager Crumb presented the Event Center and Fairgrounds activity report. No action taken.

- **Facilities – Erich Francke, Director**
 - Discussion of Lea County Facilities Activity Report

Director Francke presented the Lea County Facilities activity report by power point. No action taken.

- Consideration of Approval of Lea County Resolution No. 15-NOV-237R Approving Improvements to the Lea County Fairgrounds Improvements and the Necessary Budget Adjustments for Such Improvements

Director Francke requested approval. He presented a power point presentation with this item. Director Needham made comments concerning the improvements needed by the Lea County Fairgrounds. Commissioner Dunlap moved to approve Lea County Resolution No. 15-NOV-237R Approving Improvements to the Lea County Fairgrounds Improvements and the Necessary Budget Adjustments for Such Improvements. The motion was seconded By Commissioner Long, Commissioner Britton voted no, all other Commissioners voted yes. The motion passed.

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

- Discussion of Lea County Information Technology Activity Report

Director Lathrop presented the Lea County Information Technology activity report. 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. No action taken.

- Consideration of Approval of Lea County Resolution No 15-NOV-238R Approving the Mendoza Subdivision a Type Three-A Subdivision

County Planner Reid requested approval. Vice Chairman Black moved to approve with an easement and an understanding that a policy will be devised in the future concerning easements. The motion was seconded by Commissioner Dunlap and passed unanimously.

- **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 by Power Point. No action taken.

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

- Discussion of Lea County's Accounts Payable

Director Low presented the Lea County Accounts Payable. No action taken.

ITEM 07: EXECUTIVE SESSION

- **Board of County Commissioners**

- Pursuant to Section 10-15-1 (H7),(H8)of the New Mexico Statutes Annotated (NMSA) 1978; to discuss threatened or pending litigation in which the County is or may become a participant involving the Lea County Detention Center, and Law Enforcement, and the Purchase of Real Property Including Water Rights as Authorized by the Open Meeting Act
- At 11:49 a.m. Vice Chairman Black moved to convene in Executive Session pursuant to **Section 10-15-1, (H7), (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss threatened or pending litigation in which the County is or may become a participant involving the Lea County Detention Center, and Law Enforcement, and the Purchase of Real Property Including Water Rights 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 2:01 p.m.

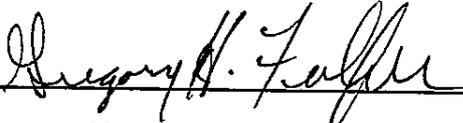
ITEM 08: OTHER BUSINESS

- **Board of County Commissioners**

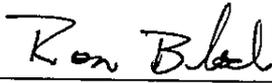
There was discussion concerning an extension for the amount of 6 months for Cesar Marengo concerning the Eunice project.

The meeting adjourned at 2:04 p.m.

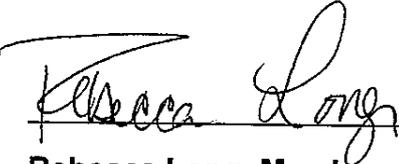
BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



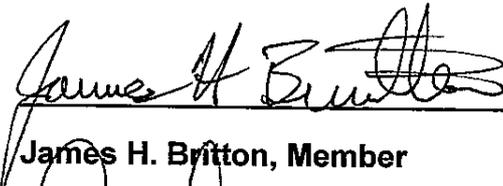
Gregory H. Fulfer, Chairman



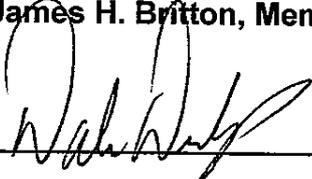
Ron Black, Vice Chairman



Rebecca Long, Member



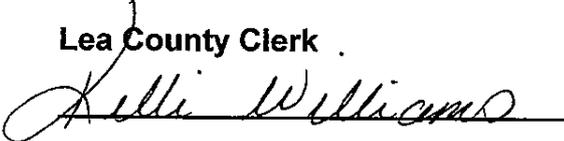
James H. Britton, Member



Dale Dunlap, Member

ATTEST: Pat Chappelle

Lea County Clerk



Kelli Williams

