

**Minutes of Meeting
Lea County Board of Commissioners
May 26, 2016**

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

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

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

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

ITEM 01: COMMISSION

- **Board of County Commissioners**

- Consideration of Approval of the May 12, 2016 Regular Meeting Minutes.

Commissioner Britton moved to approve the May 12, 2016 regular meeting minutes. The motion was seconded by Commissioner Fulfer and passed unanimously.

- Discussion of Committee Reports

Commissioner Fulfer stated I went to serve on the New Mexico Economic Development board; we had our Commission meeting this past Monday and Tuesday. All of the economic development boards from around the state come up and requested funding. It was interesting to find out how diverse the state is on its economic development, and what all of the cities are working on. Commissioner Long stated I am in Wyoming at the Western Interstate Region Conference.

- **Set/Confirm Next Meetings**

- Confirmed
 - Friday, June 10, 2016 at 9:00 A.M. Special Meeting Canvass Primary Election
 - Thursday, June 16, 2016 at 9:00 A.M. Regular Meeting
 - Wednesday, July 20, 2016 at 9:00 A.M. Regular Meeting
 - Thursday, August 18, 2016 at 9:00 A.M. Regular Meeting

- Comments from the Public

Clabe Pierson made comments expressing his concerns regarding the agenda item approving the San Simon chip seal task order. Thomas Blackman made comments concerning the location of the Veterans Memorial. Tom Pierson made comments concerning the open range, and expressed his concerns regarding the agenda item approving the San Simon chip seal task order.

- Consideration of Approval of Lea County Resolution No. 16-MAY-079R Amend Membership and Make Appointments to the 2017 Lea County Centennial Planning Committee

Commissioner Fulfer appointed Randy Hemsley and Pat McCasland to the 2017 Lea County Centennial Planning Committee. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-079R Amend Membership and Make Appointments to the 2017 Lea County Centennial Planning Committee. The motion was seconded by Commissioner Britton and passed unanimously.

ITEM 02: ACTION ITEMS

- PUBLIC HEARING: Consideration of Approval of Lea County Resolution No. 16-MAY-080R Recommending Approval of the Proposed Transfer of Existing Liquor License from Western Bar and Grill to the Corral Arena LLC (Attorney John Caldwell)

Chairman Black, swore Lea County Attorney Caldwell in. Lea County Attorney Caldwell requested approval. He stated there are three conditions under which the transfer can be denied. 1. It is located within a certain distance from a church, school, or a military installation. 2. It violates County zoning. 3. It is detrimental to the public's health, safety, or morals of the local population district. Jo Ann Zesby was sworn in. Jo Ann Zesby expressed her concerns about the location for this license, being located too close to the neighboring cemeteries. Bonnie Moran was sworn in. Bonnie Moran expressed her concerns for this license, being located too close to the neighboring cemeteries. Benny Greenlee Sr. was sworn in. Benny Greenlee Sr. expressed his concerns for this license, being located too close to the neighboring cemeteries and the extent of the license not being beer & wine. Ian McKilby the attorney for Coral Arena LLC. was sworn in. Ian McKilby made comments concerning the approval of the transfer of the existing liquor license to Coral Arena LLC, and the legalities of the application process. Clarissa L. Gomez was sworn in. Clarissa L. Gomez made comments concerning the cemetery board's requests and the changes made to accommodate the concerns. Chairman Black, Commissioner Fulfer and Commissioner Dunlap expressed their concerns.

At 10:01 a.m. Commissioner Fulfer moved to convene in Closed Session Pursuant to **Section 10-15-1. H(1), of the New Mexico Statutes Annotated**

(NMSA) 1978; to deliberate in conjunction with the administrative proceedings involving the transfer of the liquor license. The motion was seconded by Commissioner Britton Secretary polled the Commission. Vice Chairman Dunlap, yes; Commissioner Long, yes; Commissioner Britton, yes; Chairman Black, yes; Commissioner Fulfer; yes.

Commissioner Fulfer moved to reconvene. The motion was seconded by Commissioner Britton. The meeting reconvened at 10:26 a.m.

Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-MAY-080R Recommending Approval of the Proposed Transfer of Existing Liquor License from Western Bar and Grill to the Corral Arena LLC. The motion was seconded by Commissioner Fulfer; Commissioner Long opposed, all other Commissioners voted yes., The votes totaling four yes votes and one no vote. The motion passed.

- Consideration of Approval of Lea County Resolution No. 16-MAY-081R Nonprohibitive License Tax (Attorney John Caldwell on behalf of Clerk Pat Chappelle)

Lea County Attorney requested approval. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-081R Nonprohibitive License Tax. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-082R Clarifying the Vacation of Bluebird Drive, Oakridge Subdivision (Attorney John Caldwell)

Lea County Attorney Caldwell requested approval. Commissioner Britton moved to approve Lea County Resolution No. 16-MAY-082R Clarifying the Vacation of Bluebird Drive, Oakridge Subdivision. The motion was seconded by Commissioner Fulfer and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-083R Canceling Negotiations with Wildcatter Realty Advisors Inc. on Sale of Property (Attorney John Caldwell)

Lea County Attorney Caldwell requested approval. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-083R Canceling Negotiations with Wildcatter Realty Advisors Inc. on Sale of Property. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-084R Authorizing the Sale of 27.23 Acres in Eunice, New Mexico to Love's Travel Stops & Country Stores, Inc. (Attorney John Caldwell)

Lea County Attorney Caldwell requested approval. Commissioner Britton moved to approve Lea County Resolution No. 16-MAY-084R Authorizing the Sale of 27.23 Acres in Eunice, New Mexico to Love's Travel Stops & Country Stores, Inc. The motion was seconded Commissioner Fulfer and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-085R Supporting New Horizons Foundation Economic Development Grant Applications (Manager Michael Gallagher)

Manager Gallagher requested approval. He presented a power point presentation with this item. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-085R Supporting New Horizons Foundation Economic Development Grant Applications. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-086R Approving Lea County's Fiscal Year 2016-2017 Preliminary Budget (Manager Michael Gallagher)

Manager Gallagher requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-MAY-086R Approving Lea County's Fiscal Year 2016-2017 Preliminary Budget. The motion was seconded by Commissioner Fulfer and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-087R Authorizing a Grant Agreement between Lea County and State of New Mexico Children, Youth and Families Department for the Juvenile Justice Continuum Funding (Finance Director Chip Low on behalf of DWI/Probation Director Kelly Ford)

Director Low requested approval. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-087R Authorizing a Grant Agreement between Lea County and State of New Mexico Children, Youth and Families Department for the Juvenile Justice Continuum Funding. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-MAY-088R Approving the Lea County Policy and Procedures Manuel (Human Resources Director Craig Bova)

Director Bova requested approval. Commissioner Fulfer moved to approve Lea County Resolution No. 16-MAY-088R Approving the Lea County Policy and Procedures Manuel. The motion was seconded by Commissioner Long, Commissioner Britton, voted no; all other Commissioners voted yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 16-MAY-089R Approving San Simon Chip Seal Task Order (Public Works Director Corey Needham)

Director Needham requested approval. He presented a power point presentation with this item. Commissioner Britton made comments regarding whether or not there are other options available as opposed to chip sealing this road. Commissioner Fulfer recused himself from voting or commenting. Commissioner Long moved to approve Lea County Resolution No. 16-MAY-089R Approving San Simon Chip Seal Task Order. The motion was seconded by Commissioner Dunlap. Commissioner Britton stated before we vote can the Pierson's come up and answer whether or not there is a lot of oilfield access and or activity on this road. Clabe Pierson stated, there is not any oilfield access from about 2 miles from his house, he showed the Commission on the map where the last access is located. Commissioner Long amended her motion to chip seal the road up to about 2 miles before the end of the road and the Pierson's house, then vacate from that point forward. The amendment died for lack of second. Commissioner Dunlap moved to approve Lea County Resolution No. 16-MAY-089R amended to Chip Seal from the North section approximate 4 miles down to the last approximate 2 miles, and leave the rest of the road a caliche County maintained road. The motion was seconded by Commissioner Long. There was considerable discussion. Commissioner Fulfer recused himself from voting. Commissioner Britton voted no. All other Commissioners voted yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 16-MAY-090R Budget Adjustments (Finance Director Chip Low)

Director Low requested approval. Commissioner Britton moved to approve Lea County Resolution No. 16-MAY-090R Budget Adjustments. The motion was seconded by Commissioner Fulfer and passed unanimously.

ITEM 03: DISCUSSION ITEMS

- Discussion of Lea County Department Reports

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

Warden Downey presented the Lea County Detention Center activity report. No action taken.

- Discussion of the ISO Improvement Three (3) Year Plan (Emergency Management Director, Lorenzo Velasquez)

Director Velasquez presented the ISO Improvement three year plan by power point. No action taken.

- Discussion of the Lea County Regional Airport Terminal Expansion (Public Works Director Corey Needham Director, Lorenzo Velasquez)

Director Velasquez introduced David Hassard Principal with SMP Architects. Mr. Hassard presented the Lea County Regional Airport Terminal Expansion by power point. No action taken.

ITEM 04: EXECUTIVE SESSION

EXECUTIVE SESSION

- **Board of County Commissioners**
 - Pursuant to Section 10-15-1.H (2) H (7) H (8), of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters related to administrative services; threatened or pending litigation in which the County is or may become a participant, involving Contracts for services, purchase of real property, and land use; and the purchase, acquisition or disposal of real property in Southern Lea County, as Authorized by the Open Meetings Act
- At 12:24 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 related to administrative services; threatened or pending litigation in which the County is or may become a participant, involving contracts for services, purchase of real property, and land use; and the purchase, acquisition or disposal of real property in Southern Lea County, as authorized by the Open Meetings Act.** The motion was seconded by Commissioner Britton. Secretary polled the Commission. Vice Chairman Dunlap, yes; Commissioner Long, yes; Commissioner Britton, yes; Chairman Black, yes; Commissioner Fulfer; yes.

The meeting reconvened at 1:20 p.m.

Let the record reflect that only those matters announced in the motion to go into closed session were discussed.

ITEM 05: EMPLOYMENT

- **Board of County Commissioners**

- Consideration of Approval of Lea County Resolution No. 16-MAY-091R Approving Recommendations to fill County Vacancies (Human Resources Director Craig Bova)

Director Bova requested approval for Shawn Robinson – Sheriff Deputy; Jeremy Hardis – Sheriff Deputy; and Brian Wilson Detention Officer. Commissioner Britton moved to approve Lea County Resolution No. 16-MAY-091R Approving Recommendations to fill County Vacancies. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

ITEM 06: OTHER BUSINESS

There was no other business

The meeting adjourned at 1:21 p.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO

Ron Black

Ron Black, Chairman

Dale Dunlap

Dale Dunlap, Vice Chairman

Rebecca Long

Rebecca Long, Member

James H. Britton

James H. Britton, Member

Gregory H. Fulfer

Gregory H. Fulfer, Member

ATTEST: Pat Chappelle

Lea County Clerk

Kelli Williams

Kelli Williams

