

# Lea County Planning & Zoning Board

## Regular Meeting

Tuesday, June 7, 2016 9:30A.M.

Lea County Commission Chambers, 100 N. Main, Lovington, NM

### ITEM 01: Call to Order/Roll Call

Chairman Kallie Windsor called the meeting to order at 9:30A.M. Members present were Kallie Windsor, Gary Eidson, Johnnie Hopper, Dickie Wall and Daniel Johncox.

Members absent were Kay Hardin and Guy Kesner.

Also present were Bobby Shaw, Lea County Planner Bruce Reid and Lea County Administrative Coordinator Monica Russell.

### ITEM 02: Comments from the Public

There were no comments from the public.

### ITEM 03: Consideration of Approval of Minutes

- **April 6, 2016, Joint Work Session with City of Hobbs Planning Board** - Mr. Hopper motioned to approve the April 6, 2016, minutes. Motion seconded by Mr. Johncox and carried unanimously.
- **April 12, 2016, Regular Meeting** - Mr. Hopper motion to approve the April 12, 2016, minutes. Motion seconded by Mr. Johncox and carried unanimously.

### ITEM 04: Preliminary Discussion on Sketch Plan for a Future Subdivision of Dorothy Runnels in Section 25, Township 17 South, Range 37 East, Lea County, New Mexico, N.M.P.M.

Mr. Shaw stated that this is for Dorothy Runnels off of the Lovington Highway. Previously, a ten-acre tract was taken out on an exemption process and now they want to divide the rest. The twenty-acre tract that faces Alabama is sold and prompted this process. Other smaller tracts have previously come before the board. Everything else has been done under the exemption process.

Mr. Shaw stated that Lea County Public Works Director Corey Needham had previously quoted a price of a little over \$400,000 to chip seal Pawnee from end to end, and that the residents won't put together a paving district at those numbers. Another more recent to pave 113 feet in caliche or chip seal, is about \$3,600 and about \$6,188 respectively.

Ms. Windsor asked if the City of Hobbs will issue an address if the LCPZB approves

the subdivision as presented. Mr. Shaw stated that they will with a variance from the board because it's already an existing road.

Mr. Hopper asked if the City of Hobbs is requiring chip sealing. Mr. Shaw replied that this isn't going before the City. Mr. Reid stated that the City will become involved when an address is requested, and the county will have to grant a variance because this is an existing road.

Mr. Hopper asked how Howry Subdivision was planned, platted and approved with the county approving its road to be maintained by the developer or purchaser. Mr. Reid stated that he has spoken with county attorney John Caldwell about having the developer fix this issue, but Mr. Caldwell believes that there is no recourse because it's been more than six years and past the statute of limitations.

Mr. Shaw stated that at the time, the subdivision was approved up to the developer bringing the road up to county standard and being privately maintained from that point forward, but it was never brought up to county standards. However, now there is a buyer needing access that this road can give, but there is no clear answer on who should build the road. Mr. Reid stated that the county can't be required to build it since no agreement was entered into by the county with the landowners. Mr. Johncox stated that the county is at fault for not following through on this and the right thing to do now is for the county to make sure it is completed.

Ms. Windsor asked what it would take for the Lea County Board of Commissioners to accept this road for county maintenance. Mr. Shaw stated that first the caliche road would have to be brought up to standard. However, Mr. Shaw stated that on the plat, the intention was for this road to be privately maintained.

Mr. Reid will write a letter to be signed by the LCPZB to the commissioners about accepting the road for county maintenance.

Mr. Shaw asked if he could get this approved at a future meeting. The board stated that he can.

**ITEM 05: Review of First Seven Articles of the Revised Subdivision Regulations**

Mr. Johncox stated that he doesn't believe that small-acre divisions will get positive opinions from the state engineer's office because of the critical water situation.

Mr. Shaw stated that the intention of comparing the county regulations with the state regulations was to keep county restrictions less stringent than the state. Most of those have been removed. The two acre minimum for any subdivision has been kept in place in order to allow enough room for nitrates to leach out of the water.

Subdivision names have been changes to S1, S2, S3, SR1, SR2, etc., in order to identify what items need to go before the state for approval (S items).

Mr. Eidson asked about the change of the number of parcels on a Type 3B. Mr. Reid stated that this is because approval isn't needed from the state for less than ten lots under two acres according to a new state statute. Under state regulations, a Type 1 and Type 2 have to have different things in their disclosure statements.

Mr. Reid stated that the previous revision may not match up with the current revision. The current revision has the language from the current subdivision regulations and current changes.

Mr. Reid stated that he will have the county attorney also review changes for what is allowable.

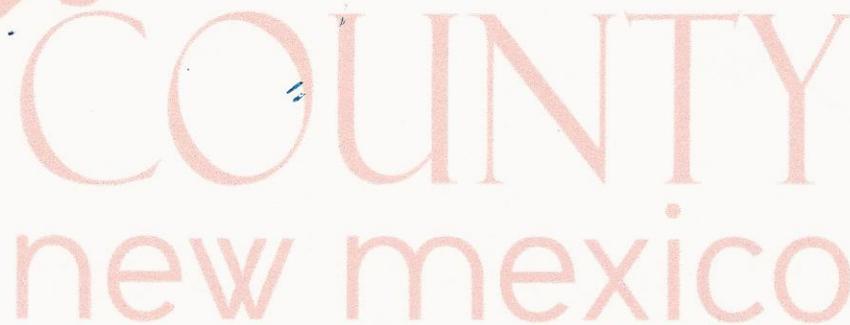
The board will review changes for discussion at the next meeting.

**ITEM 06: Set/Confirm Next Meeting(s)**

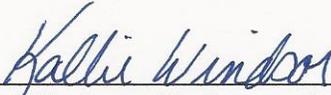
The next meeting was set for July 12, 2016.

**ITEM 07: Adjourn**

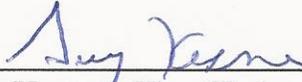
Mr. Eidson motioned to adjourn. Motion seconded by Mr. and carried unanimously. Meeting adjourned at 11:22A.M.



**Lea County Planning & Zoning Board**



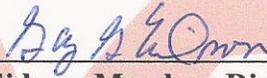
**Kallie Windsor, Chairman, Lovington Extraterritorial  
Zoning Board**



**Guy Kesner, Vice-Chairman, Hobbs Extraterritorial  
Zoning Board**



**Kay Hardin, Member, District 1**



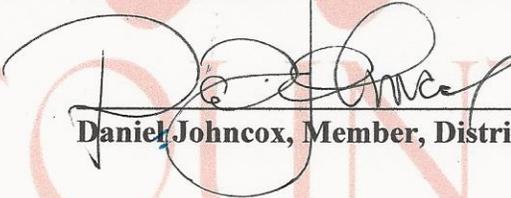
**Gary Eidson, Member, District 2**



**Johnnie Hopper, Member, District 3**



**Dickie Wall, Member, District 4**



**Daniel Johncox, Member, District 5**

**LEA COUNTY**  
**new mexico**