

**Minutes of Meeting
Lea County Board of Commissioners
July 20, 2016**

Chairman Black called the meeting to order 9:08 a.m. in the Lea County Courthouse

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

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

Commissioner Long led the Pledge of Allegiance followed by the Invocation by Commissioner Britton.

ITEM 01: COMMISSION

- **Board of County Commissioners**

- Consideration of Approval of the June 16, 2016 Regular Meeting Minutes.

Commissioner Long moved to approve the June 16, 2016 regular meeting minutes. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Discussion of Committee Reports

Commissioner Long stated, I am honored to be the Vice President of the New Mexico Association of Counties I was elected 4 weeks ago at the Summer Conference here in Lea County. Chairman Black stated, I would like to compliment Director Bova, Manager Gallagher, Assistant Manager Needham, and all of the people who put together the employee recognition picnic, it was very nice and appreciated.

- **Set/Confirm Next Meetings**

- Confirmed
 - Thursday, August 18, 2016 at 9:00 A.M. Regular Meeting
- Suggested
 - Thursday, September 01, 2016 at 9:00 A.M. Regular Meeting
 - Thursday, September 15, 2016 at 9:00 A.M. Regular Meeting
 - Thursday, October 13, 2016 at 9:00 A.M. Regular Meeting
 - Thursday, October 27, 2016 at 9:00 A.M. Regular Meeting
 - Monday, November 14, 2016 at 9:00 A.M. Canvass General Election
 - Thursday, December 15, 2016 at 9:00 A.M. Regular Meeting

- **Comments from the Public**

There were no comments from the public.

- Consideration of Approval of Lea County Resolution No. 16-JUL-101R Approving Appointments to the 2017 Lea County Centennial Planning Committee

There were no appointments made

- Consideration of Approval of Lea County Resolution No. 16-JUL-102R Approving Appointments to the Memorial Committee

There were no appointments made

- Consideration of Approval of Lea County Resolution No. 16-JUL-103R Approving Appointments to the Lea County Solid Waste Authority

Manager Gallagher suggested Assistant Manager of Operations Needham to replace Manager Gallagher and Chairman Black to replace Commissioner Fulfer. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL-103R approving appointments to the Lea County Solid Waste Authority. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

ITEM 02: ACTION ITEMS

- Consideration of Approval Lea County Resolution No. 16-JUL-104R Approving Membership Recommendations from the Lea County Health Council (Dude Slade, Chair of the Lea County Health Council)

Chairman Slade requested approval. Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-104R Approving Membership Recommendations from the Lea County Health Council. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-105R Approving Recommendations from the Lea County Health Council for By-law Changes

Chairman Slade requested to postpone this resolution. Vice Chairman Dunlap moved to approve to postpone Lea County Resolution No. 16-JUL-105R Approving Recommendations from the Lea County Health Council for the By-law Changes. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-106R Ratifying Out of State Travel for K-9 Recertification in Spring Branch, TX on July 5-8, 2016 (Byron Westor, Commander of the Lea County Drug Task Force)

Commander Westor requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-106R Ratifying Out of State Travel for K-9 Recertification in Spring Branch, TX for John Barrientes on July 5-8, 2016 . The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-107R Approval and Execution of an Application for Tactical Body Armor (Steve Ackerman, Sheriff)

Sheriff Ackerman requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-107R Approval and Execution of an Application for Tactical Body Armor. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-108R Out of State Travel to attend Project Lifesaver Program in Las Vegas, Nevada on September 26-29, 2016 (Steve Ackerman, Sheriff)

Sheriff Ackerman requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-108R Out of State Travel to attend Project Lifesaver Program in Las Vegas, Nevada for Carey Ridings on September 26-29, 2016. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-109R Treasurer's 4th Quarter Financial Report (Donna Duncan, Treasurer)

Treasurer Duncan requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-109R Treasurer's 4th Quarter Financial Report. The motion was seconded by Commissioner Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-110R Approving Lea County's Annual Membership into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2016-2017 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-110R Approving Lea County's Annual Membership into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2016-2017. The motion was seconded by Commissioner Britton and passed unanimously.

- **PUBLIC HEARING:** Consideration of Approval to Adopt Lea County Ordinance No. 90 Authorizing the Issuance and Sale of Lea County, New Mexico Taxable Industrial Revenue Bonds (AEM Wind LLC- Sterling Wind Project) Series 2016,

In an Aggregate Principal Amount up to \$60,000,000 (The "Bonds"), to Provide Funds to Finance the Acquisition, Construction and Equipping of a Wind Farm for the Purpose of Generating Electricity and which will be Located in the Unincorporated Portion of Lea County, New Mexico (The "Project"); Authorizing the Execution and Delivery of an Indenture, a Lease Agreement, a Bond Purchase Agreement, Bonds, and Other Documents in Connection with the Issuance of the Bonds and the Project; Making Certain Determinations and Findings Relating to the Bonds and the Project; Ratifying Certain Actions Taken Previously; and Repealing All Actions Inconsistent with this Ordinance

Chairman Black, placed Lea County Attorney Caldwell under oath. George Nelson, VP of Marketing with Akuo USA, was placed under oath. He presented a power point presentation to the Commission regarding the background of the company and the plans they have and the benefits it could have for Lea County. Tres Hicks with the Economic Development Corporation of Lea County was placed under oath. He made comments in support of this ordinance, and Akuo USA. Chairman Black asked if there was any one else that would like to make a comment. Commissioner Britton moved to approve Lea County Ordinance No. 90 Authorizing the Issuance and Sale of Lea County, New Mexico Taxable Industrial Revenue Bonds (AEM Wind LLC- Sterling Wind Project) Series 2016. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-111R Authorizing the 4th Option to Renew Inmate Food Operating Agreement between Lea County and Summit Food Service, LLC for the Lea County Detention Center (Padraig Downey, Warden)

Warden Downey requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-111R Authorizing the 4th Option to Renew Inmate Food Operating Agreement between Lea County and Summit Food Service, LLC for the Lea County Detention Center. The motion was seconded by Vice Chairman Black and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-112R Authorizing Inmate Housing Agreements Inside of Lea County for the Lea County Detention Center (Padraig Downey, Warden)

Warden Downey requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-112R Authorizing Inmate Housing Agreements Inside of Lea County for the Lea County Detention Center. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-113R Authorizing Inmate Housing Agreements Outside of Lea County For the Lea County Detention Center (Padraig Downey, Warden)

Warden Downey requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-113R Authorizing Inmate Housing Agreements Outside of Lea County for the Lea County Detention Center. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-114R Ratifying Out of State Travel for Use of Force – Defensive Tactics Instructor Certification in Arlington, Texas on July 10-15, 2016 (Padraig Downey, Warden)

Warden Downey requested approval. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL-114R Ratifying Out of State Travel for Use of Force – Defensive Tactics Instructor Certification for Nick Zepeda and Johel Maldonado in Arlington, Texas on July 10-15, 2016. The motion was seconded by Commissioner Long and passed unanimously.

Manager Gallagher presented a plaque to Warden Downey for his years of service to Lea County.

- Consideration of Approval of Lea County Resolution No. 16-JUL-115R Approving Addendum No. 01 for Agreements between Cooperative Educational Services (CES) for Lea County and Honeywell Building Solutions for HVAC Service and Preventative Maintenance for Lea County Facilities (Mike Gallagher, Manager, in lieu of Erich Francke, Facilities Director)

Manager Gallagher requested approval. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-115R Approving Addendum No. 01 for Agreements between Cooperative Educational Services (CES) for Lea County and Honeywell Building Solutions for HVAC Service and Preventative Maintenance for Lea County Facilities. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-116R Authorizing A Grant Agreement between Lea County and New Mexico Department of Transportation for Airline Marketing at Lea County Regional Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-116R Authorizing A Grant Agreement between Lea County and New Mexico Department of Transportation for Airline Marketing at Lea County Regional Airport. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-117R Authorizing a Grant Agreement between Lea County and J.F. Maddox Foundation for Airline Marketing at Lea County Regional Airport (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. He presented a power point presentation with this item. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL117R Authorizing a Grant Agreement between Lea County and J.F. Maddox Foundation for Airline Marketing at Lea County Regional Airport. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-118R Authorizing a Grant Agreement between Lea County and J.F. Maddox Foundation for Airline Marketing at Lea County Regional Airport

Assistant Manager of Operations Needham requested approval. He presented a power point presentation with this item. Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-118R Authorizing a Grant Agreement between Lea County and J.F. Maddox Foundation for Airline Marketing at Lea County Regional Airport. The motion was seconded by Commissioner Britton and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-119R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Maintenance at Lea County Jal Airport (E26) (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-119R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Maintenance at Lea County Jal Airport (E26). The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-120R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Maintenance at Lea County Zip Franklin Memorial Airport (E06) (Corey Needham Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-120R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Maintenance at Lea County

Zip Franklin Memorial Airport (E06). The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-121R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Security Fence at Lea County Zip Franklin Memorial Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point presentation with this item. Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-121R Authorizing a Grant Agreement between Lea County and New Mexico Department of Transportation for Security Fence at Lea County Zip Franklin Memorial Airport. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-122R Approving Option to Renew Agreement between Lea County and EAN Holdings, LLC d/b/a Enterprise Rent-A-Car and National Car Rental for Automobile Rental Concession at Lea County Regional Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point presentation with this item. Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-122R Approving Option to Renew Agreement between Lea County and EAN Holdings, LLC d/b/a Enterprise Rent-A-Car and National Car Rental for Automobile Rental Concession at Lea County Regional Airport. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-123R Declaring the Vacation and Abandonment of Bluebird Drive, Oak Ridge Park Subdivision (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-123R Declaring the Vacation and Abandonment of Bluebird Drive, Oak Ridge Park Subdivision. The motion was seconded by Commissioner Britton and passed unanimously.

- Considerations of Approval of Lea County Resolution No. 16-JUL-124R Approving Casa Adobe Chip Seal Task Order (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-124R Approving Casa Adobe Chip Seal Task Order.

Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-124R Approving Casa Adobe Chip Seal Task Order. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-125R Approving Dakota Road Chip Seal Task Order (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. He presented a power point with this item. Vice Chairman Dunlap moved to approve Lea County Resolution No. 16-JUL-125R Approving Dakota Road Chip Seal Task Order. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-126R Approving Schooley Road Chip Seal Task Order (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-126R Approving Schooley Road Chip Seal Task Order. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-127R Approving 2016-2017 1st Option to Renew Agreement between Lea County and Wagner Equipment for As-Needed Mechanical Repairs – Caterpillar (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operation Needham requested approval. He presented a power point presentation with this item. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL-127R Approving 2016-2017 1st Option to Renew Agreement between Lea County and Wagner Equipment for As-Needed Mechanical Repairs – Caterpillar. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-128R Authorizing Lea County's SFY 2016 4th Quarter Payment and Certification for the Safety Net Care Pool Fund (Finance Director Chip Low)

Director Low requested approval. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL-128R Authorizing Lea County's SFY 2016 4th Quarter Payment and Certification for the Safety Net Care Pool Fund. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-129R Final Budget Adjustments 2015-2016 (Finance Director Chip Low)

Director Low requested approval. He presented a power point with this item. Commissioner Britton moved to approve Lea County Resolution No. 16-JUL-129R Final Budget Adjustments 2016-2017. The motion was seconded by Commissioner Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 16-JUL-130R Final Budget Adoption 2016-2017 (Finance Director Chip Low)

Director Low requested approval. He presented a power point presentation with this item. Commissioner Long moved to approve Lea County Resolution No. 16-JUL-130R Final Budget Adoption 2016-2017. The motion was seconded by Vice Chairman Dunlap and passed unanimously.

Chairman Black called a break at 10:29 a.m. The meeting reconvened at 10:46 a.m.

ITEM 03: DISCUSSION ITEMS

- Discussion of Lea County Airport Terminal (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham presented a discussion of the Lea County Airport Terminal by power point. No action taken.

- Discussion of the 2nd Annual Lea County Fly Hobbs Aviation Day and Fly-in (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham presented the discussion of the 2nd annual Lea County Fly Hobbs Aviation Day and Fly-in by power point. Tres Hicks made comments in approval of this year's event. No action taken.

- Discussion of Spectra Plan (Jake Crumb, General Manager of Lea County Event Center & Fairgrounds)

Rick Hontz, Regional Vice President, of Venue Management; Shura Garnett, Regional Vice President of Spectra; Brett Reoppell, Director of Booking, Wells Fargo Center; Adam Flack, Regional Marketing Director; Alex Archuleta, Director of Marketing, Spectra; and Bryan Furey, Senior Vice President, Corporate Partnership Support; presented a discussion of Spectra's plan by power point. No action taken.

- Discussion of Lea County Department Reports

Director Crumb and Alex Archuleta Director of Marketing presented the Lea County Event Center/Fairgrounds activity report by power point. No action taken.

Sheriff Ackerman presented the Lea County Sheriff Department activity report by power point. No action taken.

Director Bova presented the Lea County Human Resources activity report. No action taken.

Director Edwards presented the Lea County Community Engagement activity report. No action taken.

- Discussion of Lea County's Accounts Payable (Finance Director Chip Low)

Director Low presented the Lea County's Accounts Payable. 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; Management Evaluations and Performance Reviews; 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 12:46 p.m. Commissioner Long 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; Management Evaluations and Performance Reviews; 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 Vice Chairman Dunlap. Secretary polled the Commission. Vice Chairman Dunlap, yes; Commissioner Long, yes; Commissioner Britton, yes; Chairman Black, yes; Commissioner Fulfer, yes.

The meeting reconvened at 2:09 p.m.

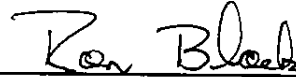
Let the record reflect that only those matters announced in the motion to go into closed session were discussed.

ITEM 05: OTHER BUSINESS

There was no other business

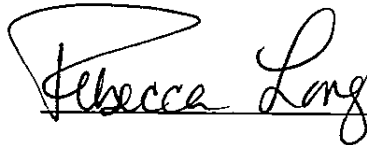
The meeting adjourned at 2:11 p.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO

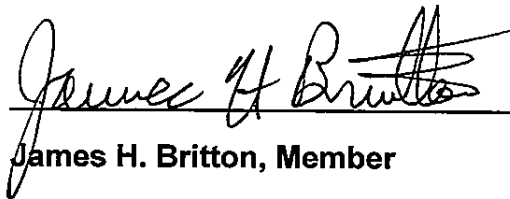


Ron Black, Chairman

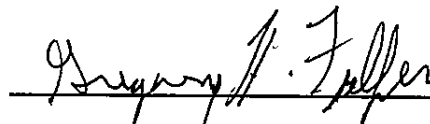
Dale Dunlap, Vice Chairman



Rebecca Long, Member



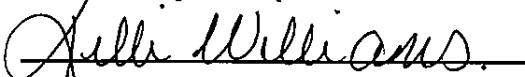
James H. Britton, Member



Gregory H. Fulfer, Member

ATTEST: Pat Chappelle

Lea County Clerk



Kelli Williams

