

**Minutes of Meeting  
Lea County Board of Commissioners  
January 12, 2017**

**Chairman Black called the meeting to order 9:05 a.m. in the Lea County Courthouse**

**Commissioners present were, to wit: Commissioner Dean Jackson District 1, Vice Chairman Rebecca Long District 2, Chairman Ron Black District 3, Commissioner Jonathan Sena District 4, and Commissioner Richard Don Jones District 5.**

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

**Commissioner Jackson led the Pledge of Allegiance followed by the Invocation by Commissioner Sena.**

**ITEM 01: ELECTION**

- **Board of County Commissioners**

- Election of Chair for the Lea County Board of County Commissioners (John W. Caldwell, County Attorney)

Lea County Attorney Caldwell requested nominations. Commissioner Jones nominated Commissioner Black for the position of Chairman. Roll call vote: Commissioner Black, yes; Commissioner Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Election of Vice Chair for the Lea County Board of County Commissioners (Ron Black, Newly Elected Chair, Board of County Commissioners)

Chairman Black requested nominations. Commissioner Jackson nominated Commissioner Long for the position of Vice Chairman. Roll call vote: Commissioner Black, yes; Commissioner Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

**ITEM 02: COMMISSION**

- Consideration of Approval of Lea County Resolution No. 17-JAN-001R Designating the Chair and Vice Chair for the Lea County Board of County Commissioners for 2017

Manager Gallagher requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-001R Designating the Chair and Vice Chair

for the Lea County Board of County Commissioners for 2017. The motion was seconded by Commissioner Jones and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-002R Approving the December 15, 2016 Regular Meeting Minutes

Commissioner Sena moved to approve Lea County Resolution No. 17-JAN-002R Approving the December 15, 2016 Regular Meeting Minutes. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-003R Setting and/or Confirming the Lea County Board of County Commissioners Meeting Dates

Commissioner Sena moved to approve Lea County Resolution No. 17-JAN-003R Setting and/or Confirming the Lea County Board of County Commissioners Meeting Dates. The motion was seconded by Vice Chairman Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-004R Approving Appointments and/or Confirming Appointments to the Eddy-Lea Energy Alliance

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-004R Approving Appointments and/or Confirming Appointments to the Eddy Lea Energy Alliance. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-005R Approving Appointments and/or Confirming Appointments to the Lea County Airports Advisory Board

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-005R Approving Appointments and/or Confirming Appointments to the Lea County Airports Advisory Board. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-006R Approving Appointments and/or Confirming Appointments to the Lea County Centennial Planning Committee

Commissioner Jones moved to approve Lea County Resolution No. 17-JAN-006R Approving Appointments and/or Confirming Appointments to the Lea County Centennial Planning Committee. The motion was seconded by Vice Chairman Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-007R  
Approving Appointments and/or Confirming Appointments to the Lea County DWI  
Advisory Council

Commissioner Sena moved to approve Lea County Resolution No. 17-JAN-007R  
Approving Appointments and/or Confirming Appointments to the Lea County DWI  
Advisory Council. The motion was seconded by Commissioner Jackson and passed  
unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-008R  
Approving Appointments and or Confirming Appointments to the Lea County  
Environmental Services Advisory Committee

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-008R  
Approving Appointments and/or Confirming Appointments to the Lea County DWI  
Advisory Council. The motion was seconded by Commissioner Jackson and passed  
unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-009R  
Approving Appointments and/or Confirming Appointments to the Lea County Fair  
& Rodeo Board

Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-  
009R Approving Appointments and/or Confirming Appointments to the Lea County Fair  
& Rodeo Board. The motion was seconded by Commissioner Jones and passed  
unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-010R  
Approving Appointments and/or Confirming Appointments to the Lea County  
Memorial Committee

Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-  
010R Approving Appointments and/or Confirming Appointments to the Lea County  
Memorial Committee. The motion was seconded by Commissioner Sena and passed  
unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-011R  
Approving Appointments and/or Confirming Appointments to the Lea County  
Planning & Zoning Board

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-011R  
Approving Appointments and/or Confirming Appointments to the Lea County Planning &  
Zoning Board. The motion was seconded by Commissioner Jackson and passed  
unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-012R Approving Appointments and/or Confirming Appointments to the Lea County Planning & Zoning Board

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-012R Approving Appointments and/or Confirming Appointments to the Lea County Planning and Zoning Board. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-013R Approving Appointments and/or Confirming Appointments to the Lea County Solid Waste Authority

Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-013R Approving Appointments and/or Confirming Appointments to the Lea County Solid Waste Authority. The motion was seconded by Vice Chairman Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-014R Approving Appointments and/or Confirming Appointments to the Lea County Water Users Association

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-014R Approving Appointments and/or Confirming Appointments to the Lea County Water Users Association. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-015R Approving Appointments and/or Confirming Appointments to the Lovington – Lea County Extraterritorial Zoning Authority

Commissioner Sena moved to approve Lea County Resolution No. 17-JAN-015R Approving Appointments and/or Confirming Appointments to the Lovington – Lea County Extraterritorial Zoning Authority. The motion was seconded by Commissioner Jones and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-016R Approving Appointments and/or Confirming Appointments to the Lovington – Lea County Extraterritorial Zoning Commission

Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-016R Approving Appointments and/or Confirming Appointments to the Lovington – Lea County Extraterritorial Zoning Commission. The motion was seconded by Vice Chairman Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-017R Approving Appointments and/or Confirming Appointments to the Southeastern New Mexico Economic Development District Council of Governments

Commissioner Jones moved to approve Lea County Resolution No. 17-JAN-017R Approving Appointments and/or Confirming Appointments to Southeastern New Mexico Economic Development District Council of Governments. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-018R Approving Appointments and/or Confirming Appointments to the Southeast Regional Transportation Planning Organization

Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-018R Approving Appointments and/or Confirming Appointments to the Southeast Regional Transportation Planning Organization. The motion was seconded by Commissioner Jackson and passed unanimously.

- Discussion of Committee Reports

There were no Committee Reports

- Comments from the public

There were no comments from the public

**ITEM 03: ACTION ITEMS**

- Consideration of Approval of Lea County Resolution No. 17-JAN-019R to Award or Reject Proposal No. 04 2016 – 2017 for As-Needed Legal Counsel for Lea County (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-019R to award or Reject Proposal No.04 2016-2017 for As-Needed Legal Counsel for Lea County. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-020R Approving the Open Meetings Act Requirements and Procedures for Lea County (John W. Caldwell, County Attorney)

Lea County Attorney requested approval. Commissioner Sena moved to approve Lea County Resolution No. 17-JAN-020R Approving the Open Meetings Act

Requirements and Procedures for Lea County. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-021R  
Appointing a Freeholders Committee regarding the Request of Vacation of a Portion of San Simone Road Located South of New Mexico State Highway 176 in Southern Lea County (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-021R Appointing a Freeholders Committee regarding the Request of Vacation of a Portion of San Simone Road Located South of New Mexico State Highway 176 in Southern Lea County. The motion was seconded by Vice Chairman Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-022R  
Approval of Sub Grant Agreement No. EMW-2016-SS-00105 between Lea County and New Mexico Department of Homeland Security and Emergency Management for Haz-Mat Equipment and Fire Department Building Security (Jeff Broom, Deputy Fire Marshal)

Deputy Fire Marshal Broom requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-022R Approval of Sub Grant Agreement No. EMW-2016-SS-00105 between Lea County and New Mexico Department of Homeland Security and Emergency Management for Haz-Mat Equipment and Fire Department Building Security. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-023R  
Approving Proposed Improvements to the Lea County Fairgrounds (Erich Francke, Facilities Director)

Facilities Director Francke requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JAN-023R Approving Proposed Improvements to the Lea County Fairgrounds. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JAN-024R  
Authorizing Budget Adjustments (Chip Low, Finance Director)

Finance Director Low requested approval. Vice Chairman Long moved to approve Lea County Resolution No. 17-JAN-024R Authorizing Budget Adjustments. The motion was seconded by Commissioner Jackson and passed unanimously.

**ITEM 04: DISCUSSION ITEMS**

- Discussion of Lea County Department Activity Reports

Director Low presented the Lea County Finance Department activity report. No action taken.

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

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

**ITEM 05: 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 Involving the Legal Department, Threatened Litigation in Which the County May Become a Participant, Involving Contracts and the Detention Center, and Pending Litigation in Which the County is a Participant in the Following Matters: *Sanchez et al. v. Surratt et al.*, 13-CV-444, *Gaskins v. Lea County et al.*, 506-CV-2016-01324, *Lopez v. Lea County*, 2:15-CV-00822, *Contreras v Redden et al.*, 506-CV-2016-00457. *Earhart v. Powell*, 506-CV-2015-00723, *Texas File LLC v. Lea County*, 506-CV-2014-00794, and *the Disposal of Real Property in Central Lea County*, as Authorized by the Open Meetings Act.
  - At 9:55 a.m. Vice Chairman Long moved to convene in Executive Session pursuant to **Section 10-15-1, (H2), (H7), and (H8), of the New Mexico Statutes Annotated (NMSA) 1978; to discuss Limited Personnel Matters Involving the Legal Department, Threatened Litigation in Which the County May Become a Participant, Involving Contracts and the Detention Center, and Pending Litigation in Which the County is a Participant in the Following Matters: *Sanchez et al. v Surratt et al.*, 13-CV-444, *Gaskins v. Lea County et al.*, 506-CV-2016-01324 *Lopez v. Lea County*, 2:15-CV-00822, *Contreras v Redden et al.*, 506-CV-2016-00457. *Earhart v. Powell*, 506-CV-2015-00723, *Texas File LLC v Lea County*, 506-CV-2014-00794, and *the Disposal of Real Property in Central Lea County*, as Authorized by the Open Meetings Act.** The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chairman Black yes; Vice Chairman Long, yes; Commissioner Jackson, yes; Commissioner Sena; yes; Commissioner Jones, yes.

The meeting reconvened at 1:44 p.m.

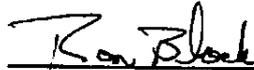
Let the record reflect that only those matters announced in the motion to go into closed session were discussed

**ITEM 06: OTHER BUSINESS**

There was no other business

The meeting adjourned at 1:44 p.m.

**BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO**



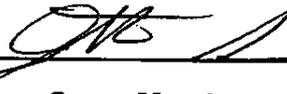
**Ron Black, Chairman**



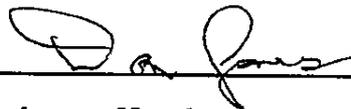
**Rebecca Long, Vice Chairman**



**Dean Jackson, Member**



**Jonathan Sena, Member**



**Don Jones, Member**



**ATTEST: Keith Manes**

**Lea County Clerk**



**Carrie Sandoval**