

**Minutes of Meeting
Lea County Board of Commissioners
July 27, 2017**

Chairman Black called the meeting to order at 8:58 a.m. in the Lea County Courthouse

Commissioners present were, to wit: Commissioner Dean Jackson District 1, Vice Chair Rebecca Long District 2, Chair 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: COMMISSION

- **Board of County Commissioners**

- Consideration of Approval of Lea County Resolution No. 17-JUL-137R Approving the July 13, 2017 Meeting Minutes.

Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-137R Approving the July 13, 2017 Meeting Minutes. The motion was seconded by Vice Chair Long and passed unanimously.

- Public Comments

There were no comments

- Recognition of County Employees

Sheriff Wester recognized; Corporal Rex Fleetwood for 10 years of service, Captain Fernando Jimenez, Deputy Larry Joslin, Corporal Tony Crowder, Investigator Zachariah Owens, and Chief Deputy Anthony Budrow for 5 years of service.

Warden Quintana recognized; Officer Mario Nunez for 5 years of service, Officer Kristie Lemley, Officer Scarlett Phipps, Officer Bryan Wilson for 1 Year of service, and Officer Jeff Allman for 10 years of service.

- Commissioners and Manager Comments

Commissioner Jackson stated, please come support the Lea County Fair and Rodeo.

Vice Chair Long stated, I attended the National Association of Counties, in Columbus OH.

ITEM 02: ACTION ITEMS

- Consideration of Approval of Lea County Resolution No. 17-JUL-138R Treasurer's 4th Quarter Financial Report (Susan Marinovich, County Treasurer)

Treasurer Marinovich requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-138R Treasurer's 4th Quarter Financial Report. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-139R Approving Right-of-Way to the City of Lovington (Michael Gallagher, County Manager)

Manager Gallagher requested approval. James Williams, Lovington City Manager, made comments explaining the project details. Commissioner Sena moved to approve Lea County Resolution No. 17-JUL-139R Approving Right of Way to the City of Lovington. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-140R Requesting County Owned Property to be Annexed into the City Limits of the City of Eunice (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-140R Requesting County Owned Property to be Annexed into the City Limits of the City of Eunice. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-141R Authorizing Issuance of Request for Proposal for Dental Services at the Lea County Health Clinic (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-141R Authorizing Issuance of Request for Proposal for Dental Services at the Lea County Health Clinic. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-142R Approving Lea County's Annual Membership into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2017-2018 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Sena moved to approve Lea County Resolution No. 17-JUL-142R Approving Lea County's Annual Membership

into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2017-2018. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-143R Ratifying In State Travel on July 19-20, 2017 to Santa Fe, New Mexico for Meetings with Attorney's and Professional Consultants (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-143R Ratifying In State Travel on July 19-20, 2017 to Santa Fe, New Mexico for Meetings with Attorney's and Professional Consultants. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-144R Authorizing Out of State Travel on October 22-25, 2017 to San Antonio, Texas for the International City/County Manager's Association Annual Conference (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-144R Authorizing Out of State Travel on October 22-25, 2017 to San Antonio, Texas for the International City/County Manager's Association Annual Conference. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-145R Approving Recommendation to Award Task Order 2015-29 to Molzen Corbin for the Maintenance of the Disadvantaged Business Enterprise (DBE) Program for Various Project and Grants (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-145R Approving Recommendation to Award Task Order 2015-29 to Molzen Corbin for the Maintenance of the Disadvantaged business Enterprise (DBE) Program for Various Project and Grants. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-146R to Award or Reject Bid No. 01 2017-2018 for the Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-146R to Award Bid No 01 2017-2018 for the Lea County Regional County Regional Airport Apron and RW

17/35 Rehabilitation Project. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-147R Authorizing the Federal Aviation Administration (FAA) Grant Application for Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-147R Authorizing the Federal Aviation Administration (FAA) Grant Application for Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-148R Approving Recommendation to Award Task Order 2015-28 to Molzen Corbin for the Observation and Testing for the Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-148R Approving Recommendation to Award Task Order 2015-28 to Molzen Corbin for the Observation and Testing for the Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-149R Approving Recommendation to Award Task Order 2015-27 to Molzen Corbin for the Bidding and Administration Phase for the Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-149R Approving Recommendation to Award Task Order 2015-17 to Molzen Corbin for the Bidding and Administration Phase for the Lea County Regional Airport Apron and RW 17/35 Rehabilitation Project. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-150R to Award or Reject Bid No. 02 2017-2018 for the Lea County Jal Municipal Airport Hangar Access Road Construction Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-150R to Award Bid No. 02 2017-2018 for the Lea County Jal Municipal Airport Hangar Access Road Construction Project. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-151R Authorizing the Federal Aviation Administration (FAA) Grant Application for the Lea County Jal Municipal Airport Hangar Access Road Construction Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-151R Authorizing the Federal Aviation Administration (FAA) Grant Application for the Lea County Jal Municipal Airport Hangar Access Road Construction Project. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-152R Approving Recommendation to Award Task Order 2015-25 to Mozen Corbin for the Observation and Testing of the Lea County Jal Municipal Airport Hangar Access Road Construction Project (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-152R Approving Recommendation to Award Task Order 2015-25 to Molzen Corbin for the Observation and Testing of the Lea County Jal Municipal Airport Hangar Access Road Construction Project. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-153R to Award or Reject Bid No. 03 2017-2018 Apron Reconstruction – Phase II Lea County – Lovington Zip Franklin Memorial Airport (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-153R to Award Bid No. 03 2017-2018 Apron Reconstruction – Phase II Lea County – Zip Franklin Memorial Airport. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-154R Authorizing the Federal Aviation Administration (FAA) Grant Application for the Apron Reconstruction – Phase II Lea County – Lovington Zip Franklin Memorial Airport (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-154R Authorizing the Federal Aviation Administration (FAA) Grant Application for the Apron Reconstruction – Phase II Lea County – Lovington Zip Franklin Memorial Airport. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-155R Approving Recommendation to Award Task Order 2015-26 to Molzen Corbin for the Observation and Testing of the Apron Reconstruction – Phase II Lea County – Lovington Zip Franklin Memorial Airport (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-155R Approving Recommendation to Award Task Order 2015-26 to Molzen Corbin for the Observation and Testing of the Apron Reconstruction – Phase II Lea County – Lovington Zip Franklin Memorial Airport. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-156R Approving CAP Grant Agreement CAP-2-18(404) between Lea County and New Mexico Department of Transportation for the Repair and Restoration of Weaver Road (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-156R Approving CAP Grant Agreement CAP-2-18(404) between Lea County and New Mexico Department of Transportation for the Repair and Restoration of Weaver Road. The motion was seconded by Commissioner Sena and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-157R Appointing a Freeholders Committee to Evaluate the Vacation of Cochran (between Kara and Jason) (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-157R Appointing a Freeholder Committee to Evaluate the Vacation of Cochran (between Kara and Jason). The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-158R Appointing a Freeholders Committee to Evaluate the Vacation of Llewellyn (South of Morales) (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jones moved to approve Lea County Resolution No. 17-JUL-158R Appointing a Freeholders Committee to Evaluate the Vacation of Llewellyn (South of Morales). The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-159R Appointing a Freeholders Committee to Evaluate the Vacation of Hart (between Black 6 and 15) (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Sena moved to approve Lea County Resolution No. 17-JUL-159R Appointing a Freeholders Committee to Evaluate the Vacation of Hart. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-160R Appointing a Freeholders Committee to Evaluate the Vacation of Alley 7 in Monument (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Sena moved to approve Lea County Resolution No. 17-JUL-160R Appointing a Freeholder Committee to Evaluate the Vacation of Alley 7 in Monument. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-161R Appointing a Freeholders Committee to Evaluate the Vacation of Dickerson in Monument (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-161R Appointing a Freeholders Committee to Evaluate the Vacation of Dickerson in Monument. The motion is seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-162R Appointing A Freeholders Committee to Evaluate the Vacation of 9th in Monument (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-162R Appointing a Freeholders Committee to Evaluate the Vacation of 9th in Monument. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-163R Appointing a Freeholders Committee to Evaluate the Vacation of Comanche in Monument (Corey Needham, Assistant County Manager – Operations)

Assistant Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-163R Appointing a Freeholders Committee to Evaluate the Vacation of Comanche in Monument. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-164R Approving Changes in General Admission Fees for Wednesday, August 9, 2017 for the Lea County Fair & Rodeo (Jim Kemp, Fairgrounds General Manager)

Fairgrounds General Manager Kemp requested approval. Vice Chair Long moved to approve Lea County Resolution No. 17-JUL-164R Approving Changes in General Admission Fees for Wednesday, August 9, 2017 for the Lea County Fair & Rodeo. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-165R Final Budget Adjustments 2016-2017 (Chip Low, Finance Director)

Director Low requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-165R Final Budget Adjustments 2016-2017. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 17-JUL-166R Final Budget Adoption 2017-2018. (Chip Low, Finance Director)

Director Low requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 17-JUL-166R Final Budget Adoption 2017-2018. The motion was seconded by Vice Chair Long and passed unanimously.

ITEM 03: DISCUSSION ITEMS

- Discussion of Oil & Gas Personal Property Audit for Lea County (Sharla Kennedy, County Assessor)

Assessor Kennedy presented a discussion of Oil & Gas Personal Property Audit for Lea County. No action taken.

- Discussion of Lea County's Financial Report (Chip Low, Finance Director)

Director Low presented Lea County's Financial Report by power point. No action taken.

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

Director Low presented Lea County's Accounts Payable. No action taken.

ITEM 04: EXECUTIVE SESSION

- **Board of County Commissioners**

- Pursuant to Section 10-15-1, (H7),(H8), of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Pending Litigation in Which the County May Become a Participant, Involving Property Tax, Water Rights and the Disposal of Real Property in Central Lea County, as Authorized by the Open Meetings Act.
- At 10:08 a.m. Vice Chair Long 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 Litigation in Which the County May Become a Participant, Involving Property Tax, Water Rights 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. Chair Black yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena; yes; Commissioner Jones, yes.

The meeting reconvened at 11:51 a.m.

ITEM 05: OTHER BUSINESS

- Consideration of Approval of Lea County Resolution No. 17-JUL-167R Approving Land Sale to CWR (Michael Gallagher, County Manager)

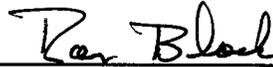
Manager Gallagher recommended denying approval. Commissioner Sena moved to disapprove Lea County Resolution No. 17-JUL-167R Approving Land Sale to CWR. Keith Meir a Lawyer, with Sutin Thayer and Browne, made comments concerning the original contract with CWR. The motion was seconded by Vice Chair Long, Commissioner Jackson opposed, all other Commissioners voted yes, to disapprove. The motion not to approve the resolution passed.

- Consideration of Approval of Lea County Resolution No. 17-JUL-168R Approving Land Sale to SPower (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Sena moved to approve Lea County Resolution No. 17-JUL-168R Approving Land Sale to SPower. The motion was seconded by Vice Chair Long with the following amendments, add revocable when related to description of option, closing to occur 210 days after notice to exercise option, only affidavit will be consistent with changes above, add to paragraph 12.6 known to seller. Commissioner Sena approved the amendments. The motion passed unanimously.

The meeting adjourned at 12:05 p.m.

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



Ron Black, Chair



Rebecca Long, Vice Chair



Dean Jackson, Member

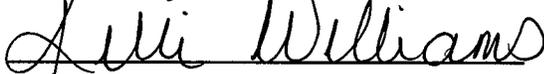
Jonathan Sena, Member



Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk



Kelli Williams

