

Minutes of Meeting
Lea County Board of Commissioners
May 3, 2018

Chair Black called the meeting to order at 9:00 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 Jones 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. 18-MAY-082R Approving the April 19, 2018 Regular Meeting Minutes.

Commissioner Sena moved to approve Lea County Resolution No. 18-MAY-082R Approving the April 19, 2018 Regular Meeting Minutes. The motion was seconded by Commissioner Jackson and passed unanimously.

- Public Comments

There were no public comments

- Commissioners and Manager Comments

Manager Gallagher recognized DWI/Probation Director Ford, her department is hosting state wide Court Office Advanced courses. These are classes the compliance officers and probation departments have to take. There will be a number of different counties across the state in attendance. The Hobbs Police Department, Lovington Fire Department, and the Lea County Sheriff's Department will be assisting in these courses.

Commissioner Jones introduced Leann Reaves with the Eunice Hospital Board, and Dan Hardin from the New Mexico Junior College, he thanked them for their attendance.

Commissioner Sena expressed his gratitude for Dan Hardin, and Daniel Johncox and his family for their attendance. He expressed his gratitude for My Power. They had their graduation Tuesday night. My Power is working to combat teen pregnancy and empower woman.

Commissioner Jackson stated, thank God we haven't had any major fires.

- Consideration of Approval of Lea County Resolution No. 18-MAY-083R Authorizing In State Travel June 19-22, 2017 to Socorro, New Mexico for the New Mexico Association of Counties 82nd Annual Conference

Manager Gallagher requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-MAY-083R Authorizing In State Travel June 19-22, 2017 for Chair Black, Vice Chair Long, Commissioner Jackson and Commissioner Jones to Socorro, New Mexico for the New Mexico Association of Counties 82nd Annual Conference. The motion was seconded by Commissioner Jones and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 18-MAY-084R Approving the Appointment of Tom Dunford as Lea County Sheriff (Jonathan Sena, Commissioner, District 4)

Commissioner Sena requested approval. Commissioner Sena move to approve Lea County Resolution No. 18-MAY-084R Approving the Appointment of Tom Dunford as Lea County Sheriff. The motion was seconded by Vice Chair Long. Commissioner Sena voted yes, all other Commissioners voted no. The motion did not pass.

ITEM 02: PUBLIC HEARINGS

- **Public Hearing:** Hearing to Consider Amendment to 2004 Industrial Revenue Bond Ordinance or Louisiana Energy Services (LES) Regarding Payment in Lieu of Taxes

At 9:08 a.m. Chair Black called the public hearing. He swore Manager Gallagher in.

- Consideration of Approval to Adopt Lea County Ordinance No. 91 An Ordinance Amending Lea County, New Mexico Ordinance No. 58, As Previously Amended by Ordinance No. 67 and Ordinance No. 80; Modifying the Provisions for Payments in Lieu of Taxes to Be Made by Louisiana Energy Services, LLC in Connection with the County's Industrial Revenue Bond (National Enrichment Facility Project) Series 2004; Authorizing the Execution and Delivery of an Amendment to the 2004 Lease and Purchase Agreement. As Previously Amended, In Connection with the Modification to the Payments in Lieu of Taxes; Making Certain Finding and Determinations: Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (John W. Caldwell, County Attorney)

Manager Gallagher in Lieu of Attorney Caldwell requested approval. Chair Black opened the floor for public comments. Manager Gallagher read an approved email comment from Duane Haynes in support of both of ordinances. Mike Miller with the Board of Trustees of the Eunice Hospital, was sworn in by Chair Black. He made comments concerning his approval of both Ordinances. Commissioner Jones moved to approve Lea County Ordinance No. 91, Amending Lea County, New Mexico Ordinance No. 58; as Previously Amended by Ordinance No. 67 and Ordinance No. 80; Modifying the Provisions for Payments in Lieu of Taxes to Be Made by Louisiana Energy Services, LLC in Connection with the County's Industrial Revenue Bond (National Enrichment Facility Project) Series 2004; Authorizing the Execution and Delivery of an Amendment to the 2004 Lease and Purchase Agreement. As Previously Amended, In Connection with the Modification to the Payments in Lieu of Taxes; Making Certain Finding and Determinations: Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance. 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.

- **Public Hearing:** Hearing to Consider Amendment to 2015 Industrial Revenue Bond Ordinance of Louisiana Energy Services (LES) Regarding Payment in Lieu of Taxes

At 9:17 a.m. Chair Black called the Public Hearing to order. Let the record reflect that Manager Gallagher is still under oath.

- Consideration of Approval to Adopt Lea County Ordinance No. 92 An Ordinance Amending Lea County, New Mexico Ordinance No. 87; Modifying The Provisions For Payments In Lieu of Taxes To Be Made By Louisiana Energy Services, LLC In Connection With the County's Industrial Revenue Bond (National Enrichment Facility Project) Series 2015; Authorizing the Execution and Delivery of An Amendment to the 2015 Lease and Purchase Agreement in Connection with the Modification to the Payments in Lieu of Taxes; Making Certain Findings And Determinations; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (John W. Caldwell, County Attorney)

Manager Gallagher in lieu of Attorney Caldwell requested approval. Chair Black opened the floor for public comments, there were no comments. Commissioner Jones moved to approve Lea County Ordinance No. 92 an Ordinance Amending Lea County, New Mexico Ordinance No. 87, Modifying the Provisions for Payments in Lieu of Taxes to be Made by Louisiana Energy Services, LLC in Connection with the County's Industrial Revenue Bond (National Enrichment Facility Project) Series 2015; Authorizing the Execution and Delivery of an Amendment to the 2015 Lease and Purchase Agreement in Connection with the Modification Determinations, Ratifying Certain Actions Taken Previously; and Repealing All Actions Inconsistent with the Ordinance.

The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes.

ITEM 03: ACTION ITEMS

- Consideration of Approval of Lea County Resolution No. 18-MAY-085R Approving Recommendations from the Lea County Planning & Zoning Board to Approve the Preliminary Plat of the Libba Land Subdivision Located in the South Half of Section 34, Township 17 South, Range 38 East N.M.P.M. near Hobbs, New Mexico (Bruce Reid, County Planner)

County Planner Reid requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-MAY-085R Approving Recommendations from the Lea County Planning & Zoning Board to Approve the Preliminary Plat of the Libba Land Subdivision Located in the South Half of Section 34, Township 17 South, Range 38 East N.M.P.M near Hobbs New Mexico. The motion was seconded by Commissioner Jones, Commissioner Jackson voted no, all other Commissioners voted yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-MAY-086R Approving Lea County's Preliminary Budget for FY 2018-2019 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-MAY-086R Approving Lea County's Preliminary Budget for FY 2018-2019. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 18-MAY-087R Approving Lea County as the Fiscal Agent for the Eddy Lea Energy Alliance and the Responsible Party for Meeting Agenda, Minutes, and Records (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-MAY-087R Approving Lea County as the Fiscal Agent for the Eddy Lea Energy Alliance and the Responsible Party for Meeting Agenda, Minutes, and Records. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 18-MAY-088R Approving Cooperative Educational Services (CES) Contract with Constructors Inc. for Parking Lot Improvements at the Lea County Regional Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-MAY-088R Approving Cooperative Educational Services (CES) Contract with Constructors Inc. for Parking Lot Improvements at the Lea County Regional Airport. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 18-MAY-089R Approving Cooperative Educational Services (CES) Contract with Constructors Inc. for Installation of OGFC Seal Coat on West County Road from Grimes to Hobbs City Limits (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-MAY-089R Approving Cooperative Educational Services (CES) Contract with Constructors Inc. for Installation of OGFC Seal Coat on West County Road from Grimes to Hobbs City Limits. The motion was seconded by Commissioner Jackson and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 18-MAY-090R Approving First Amendment to the Memorandum of Agreement for the Operation and Maintenance of P25 800 MHz Radio System for the Lea County Communication Authority (Angela Martinez, Communication Authority Director)

Director Velasquez in lieu of Director Martinez requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-MAY-090R Approving First Amendment to the Memorandum of Agreement for the Operation and Maintenance of P25 800 MHz Radio System for the Lea County Communication Authority. The motion was seconded by Vice Chair Long and passed unanimously.

- Consideration of Approval of Resolution No. 18-MAY-091R Approving Cooperative Educational Services (CES) Contract with IPR, Ltd for Parking Lot Improvements at the Lea County Fairgrounds (Jim Kemp, Fairgrounds General Manager)

Fairgrounds General Manager Kemp requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-MAY-091R Approving Cooperative Educational Services (CES) Contract with IPR, Ltd for Parking Lot Improvements at the Lea County Fairgrounds. The motion was seconded by Commissioner Sena and passed unanimously.

ITEM 04: DISCUSSION ITEMS

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

Director Low presented a discussion of Lea County's Financial Report. No action taken.

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

Director Low presented a discussion of Lea County's Accounts Payable. 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, Namely Evaluation of County Manager, Including any Adjustment under Section 3B "Compensation" of the Employment Contract; Threatened Litigation in Which the County May Become a Party Concerning Land in Central Lea County and the Disposal of Real Property in Central Lea County, as Authorized by NMSA 1978 as Authorized by the Open Meetings Act.
- At 10:12 a.m. Vice Chair 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 Namely Evaluation of County Manager, Including any Adjustment under Section 3B "Compensation" of the Employment Contract; Threatened Litigation in Which the County May Become a Party Concerning Land in Central Lea County 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 11:21 a.m.

ITEM 05: OTHER BUSINESS

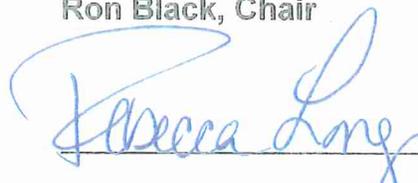
There was no other business.

The meeting adjourned at 11:21 a.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



Ron Black, Chair



Rebecca Long, Vice Chair



Dean Jackson, Member



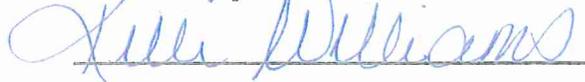
Jonathan Sena, Member



Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk



Kelli Williams

