

**Minutes of Meeting  
Lea County Board of Commissioners  
August 23, 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.**

**Vice Chair Long 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-AUG-152R Approving the July 26, 2018 Regular Meeting Minutes

Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-125R approving the July 26, 2018 Regular Meeting Minutes. 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 motion passed.

- **Public Comments**

Nick Maxwell made comments against the ELEA, the funding of the ELEA, and Holtec bringing in nuclear waste for storage.

- **Commissioners and Manager Comments**

Commissioner Jackson thanked all of the employees, and volunteers for a successful Fair and Rodeo.

Commissioner Sena stated the Toby Mac concert was fantastic, he thanked all of the employees, and volunteers for the Fair and Rodeo

Chair Black thanked the employees and the volunteers for a successful Fair and rodeo. He recognized Manager of the Fairgrounds Jim Kemp for his leadership.

- **Recognition of County Employees – Service Awards**

Director Martinez recognized Kelsey Contreras for one year of service, and Lorraine Tarin for five years of service.

Director Francke recognized Tony Ard for five years of service.

Director Velasquez recognized Elisa Millan for five years of service.

Sheriff Helton recognized Gary Hassen for 15 years of service.

Warden Quintana recognized Arturo Salinas for 20 years of service.

- Consideration of Approval of Lea County Resolution No. 18-AUG-153R Approving Appointments and or Confirming Appointments to the Lea County Fair & Rodeo Board

Commissioner Sena appointed Vivian Flemons to the Lea County Fair & Rodeo Board. Chair Black appointed Brian Pointer to the Lea County Fair & Rodeo Board. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-153R Approving Appointments and or Confirming Appointments to the Lea County Fair & Rodeo Board. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, abstain; Commissioner Jones, yes. The motion passed

- Consideration of Approval of Lea County Resolution No. 18-AUG-154R Approving the Lea County Indigent Claims Burial/Cremation Report (Sherry Ann Baggoo, Indigent Claims Specialist)

Indigent Claims Specialist Baggoo requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-154R approving the Lea County Indigent Claims Burial/Cremation report. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-155R Authorizing In-State Travel on October 6-9, 2018 to Santa Fe, New Mexico for the New Mexico Oil & Gas Association Annual Conference/Meeting

Vice Chair Long moved to approve Lea County Resolution No. 18-AUG-155R Authorizing In-State Travel on October 6-9, 2018 to Santa Fe, New Mexico for the New Mexico Oil & Gas Association Annual Conference/Meeting. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-Aug-156R Supporting Holtec International's Effort to Build an Interim Storage Facility for

Spent Nuclear Fuel in Southeastern New Mexico and Eddy-Lea Energy Alliance (ELEA) Becoming a Party to the Nuclear Regulatory Commission Adjudicatory Hearing (Ron R Black, Chair)

Chair Black requested approval. Chair Black nominated Manager Gallagher to represent Lea County in the Nuclear Regulatory Commission Adjudicatory Hearing. Commissioner Jackson nominated Commissioner Sena to represent Lea County in the Nuclear Regulatory Commission Adjudicatory Hearing. Commissioner Jackson moved to approve the nomination of Commissioner Sena to represent Lea County in the Nuclear Regulatory Commission Adjudicatory Hearing. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, no; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, no. The motion passed. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-156R Supporting Holtec International's Effort to Build an Interim Storage Facility for Spent Nuclear Fuel in Southeastern New Mexico and Eddy-Lea Energy Alliance Becoming a Party to the Nuclear Regulatory Commissioner Adjudicatory Hearing. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

**ITEM 02: ACTION ITEMS**

- Consideration of Approval of Lea County Resolution No. 18-AUG-157R Approving the Recommendations of the Lea County Planning & Zoning Board to Approve a Variance to the Two (2) Acre Minimum Average Lot Size for the Babb Subdivision Tract B-2 Located in the Southwest Quarter of Section 33, 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-AUG-157R Approving the Recommendations of the Lea County Planning & Zoning Board to Approve a Variance to the Two (2) Acre Minimum Average Lot Size for the Babb Subdivision Tract B-2 Located in the Southwest Quarter of Section 33, Township 17 South, Range 38 East N.M.P.M Near Hobbs, New Mexico. The motion died for lack of second.

- Consideration of Approval of Lea County Resolution No. 18-AUG-158R Approving the Recommendations of the Lea County Planning & Zoning Board to Approve a Variance to the One (1) Acre Minimum Lots Size for the Babb Subdivision Tract B-2 Located in the Southwest Quarter of Section 33, Township 17 South, Range 38 East N.M.P.M. Near Hobbs New Mexico (Bruce Reid, County Planner)

County Planner Reid requested approval. Brenda Gomez made comments concerning the Subdivision regulations. Commissioner Sena moved to approve Lea

County Resolution No. 18-AUG-158R Approving the Recommendations of the Lea County Planning & Zoning Board to Approve a Variance to the One (1) Acre Minimum Size for the Babb Subdivision Tract B-2 Located in the Southwest Quarter of Section 33, Township 17 South, Range 38 East N.M.P.M. Near Hobbs New Mexico. The motion died for lack of second.

- Consideration of Approval of Lea County Resolution No. 18-AUG-159R Approving Grant No. G18SN0017A Modification No. 2 between Lea County and the Office of National Drug Control Policy Decreasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2018 – 12/31/2019 (Wm Robert Sullivan, HIDTA Region VI Drug Task Force Commander)

Commander Sullivan requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-159R Approving Grant No. G18SN0017A Modification No. 2 between Lea County and the Office of National Drug Control Policy Decreasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2018 – 12/31/2019. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-Aug-160R Approving Lea County's Infrastructure Capital Improvements Plan (ICIP) for FY 2020-2024 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-160R approving Lea County's Infrastructure Capital Improvements Plan (ICIP) for FY 2020-2024. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-161R for Issuance of Request for Proposal (RFP) for Expansion and Remodel of the Terminal at the Lea County Regional Airport (Corey Needham, Assistant County Manager - Operations)

Assistant County Manager of Operations Needham requested approval. David Hassard, Principle of SMPC Architects, made comments concerning the remodel of the terminal at the Lea County Regional Airport. Vice Chair Long moved to approve Lea County Resolution No. 18-AUG-161R for Issuance of Request for Proposal (RFP) for Expansion and Remodel of the Terminal at the Lea County Regional Airport. 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 motion passed.

Chair Black called a break at 10:40 a.m. The meeting reconvened at 10:54 a.m.

- Consideration of Approval of Lea County Resolution No. 18-AUG-162R Approving the Award of Bid No. 02 (2018-2019) for Lea County Zip Franklin Memorial Airport Pavement Maintenance – Slurry Seal (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-162R Approving the Award of Bid No. 02 (2018-2019) for Lea County Zip Franklin Memorial Airport Pavement Maintenance – Slurry Seal. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-163R Approving a Grant Agreement between Lea County and Federal Aviation Administration (FAA) for Lea County Zip Franklin Memorial Airport Pavement Maintenance – Slurry Seal (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-163R Approving a Grant Agreement between Lea County and federal Aviation Administration (FAA) for Lea County Zip Franklin Memorial Airport Pavement Maintenance – Slurry Seal. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-164R Approving a Grant Agreement between Lea County and Federal Aviation Administration (FAA) for Lea County Jal Airport – Reconstruct Taxiway A-PER (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-164R approving a Grant Agreement between Lea County and Federal Aviation Administration (FAA) for Lea County Jal Airport – Reconstruct Taxiway A-PER. 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. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-165R Approving the Award of Bid No. 01 (2018-2019) Electrical Vault for Lea County Jal Municipal Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jones moved to approve Lea County Resolution No. 18-AUG-165R Approving the Award of Bid No. 01 (2018-2019) Electrical Vault for Lea County Jal Municipal Airport. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-166R Approving a Grant Application and Agreement Between Lea County and Federal Aviation Administration (FAA) for Lea County Jal Airport – Electrical Vault (Corey Needham, Assistant County Manager - Operations)

Assistant County Manager of Operations Needham requested approval. Chair Long moved to approve Lea County Resolution No. 18-AUG-166R Approving a Grant Application and Agreement between Lea County and Federal Aviation Administration (FAA) for Lea County Jal Airport – Electrical Vault. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-167R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of Gum Street (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-167R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of Gum Street. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-168R Approving Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of 17<sup>th</sup> Street (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-168R

Approving Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of 17<sup>th</sup> Street. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-169R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of Roberts Lane (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-169R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and sons for the Reconstruction of Roberts Lane. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-170R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of Gary Lane (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-170R Approving a Cooperative Educational Services (CES) Task Order with Ramirez and Sons for the Reconstruction of Gary Lane. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-171R Approving a Cooperative Educational Services (CES) Task Order with Constructors Inc. for the Reconstruction of Battle-Ax Intersections (Curves) (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations Needham requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-171R Approving a Cooperative Educational Services (CES) Task Order with Constructors Inc. for the Reconstruction of Battle-Ax Intersections (Curves). The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-172R Approving a Cooperative Educational Services (CES) Task Order with IPR, Ltd. For the Slurry/Micro Seal on Various County Roads (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-AUG-172R Approving a Cooperative Educational Services (CES) Task Order with IPR, Ltd for the Slurry/Micro Seal on Various County Roads. 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 motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-173R Awarding Request for Proposal for Inmate Commissary & Food Cart Services for the Lea County Detention Center to Keefe Commissary Network, LLC (Ruben Quintana, Warden)

Warden Quintana requested approval. Commissioner Sena moved to approve Lea County Resolution No. 18-AUG-173R Awarding Request for Proposal for Inmate Commissary & Food Cart Services for the Lea County Detention Center to Keefe Commissary Network, LLC. The motion was seconded by Vice Chair Long. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-174R Approving Cooperative Educational Services (CES) Bid with Lasco Construction for the Purpose of Improvements to the Lea County Employee North Parking Lot (Erich Francke, Facilities Director)

Director Francke requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-174R Approving Cooperative Educational Services (CES) Bid with Lasco Construction for the Purpose of Improvements to the Lea County Employee North Parking Lot. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-175R Approving Cooperative Educational Services (CES) Bid with Lasco Construction for the Purpose of Improvements to the Facilities Building aka the Purcell Building (Erich Francke, Facilities Director)

Director Francke requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-175R Approving Cooperative Educational Services (CES) Bid with Lasco Construction for the Purpose of Improvements to the Facilities Building aka the Purcell Building. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No. 18-AUG-176R Approving an Agreement Between Lea County and NPSR for Design Services for a Proposed General Services Facility to be Located at the Lea County Fairgrounds (Erich Francke, Facilities Director)

Director Francke requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-AUG-176R Approving an Agreement between Lea County and NPSR for Design Services for a Proposed General Services Facility to be Located at the Lea County Fairgrounds. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Black, yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

#### **ITEM 03: 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 04: EXECUTIVE SESSION**

- **Lea County Board of Commissioners**
  - Pursuant to Section 10-15-1 (H2), (H7) of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Limited Personnel Matters Involving the County Attorney; Threatened Litigation Involving Recovery of Public Funds and Property in Central Lea County, the Sheriff's Office, and the Detention Center; and Pending Litigation – Morales v. Lea County; Kenneth Johnson v. Lea County; Texas File v. Lea County; Sanchez v. Lea County, and a Matter in Which the County is a Party Before the Office of the State Engineer, More Specifically OSE Files L-12652 Through

L12694 and Protests Regarding Wells L-1880 Through L-1884, as Authorized by the Open Meetings Act.

- At 11:39 a.m. Vice Chair Long moved to convene in Executive Session pursuant to **Section 10-15-1, (H2), (H7), of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Limited Personnel Matters Involving the County Attorney; Threatened Litigation Involving Recovery of Public Funds and Property in Central lea County, the Sheriff's Office, And the Detention Center; and Pending Litigation – Morales v. Lea County; Kenneth Johnson v. Lea County; Texas File v. Lea County; Sanchez v. Lea County, and a Matter in Which the County is a Party Before the Office of the State Engineer, More Specifically OSE Files L-12652 Through L-12694 and Protest Regarding Wells L-1880 Through L-1884, 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 2:13 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 2:13 p.m.

BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO

*Ron Black*

Ron Black, Chair

*Rebecca Long*

Rebecca Long, Vice Chair

*Dean Jackson*

Dean Jackson, Member

*Jonathan Sena*

Jonathan Sena, Member

*Don Jones*

Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk

*Kelli Williams*

Kelli Williams

