

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 18-AUG-152R

A RESOLUTION APPROVING THE LEA COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

WHEREAS, Section 10-15-1 through 10-15-4 of the Open Meetings Act (NMSA 1978), states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS the board, commission or other policy making body shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted; and

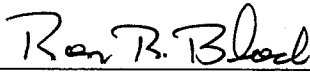
WHEREAS all minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the policymaking body.

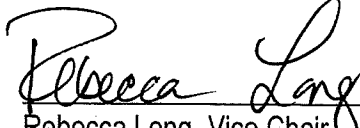
WHEREAS, NMSA 1978, Section 4-38-12 as amended, allows the County Commission to establish rules and regulations to govern the transaction of county business in these meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lea County that the attached minutes are hereby approved.

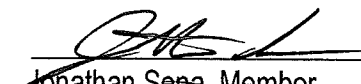
PASSED AND APPROVED on this 23rd day of August, 2018, by the Lea County Board of County Commissioners in an open meeting in Lovington, New Mexico.

LEA COUNTY BOARD OF COUNTY COMMISSIONERS


Ron R. Black, Chair
Voted: Yes No Abstain


Rebecca Long, Vice Chair
Voted: Yes No Abstain


Dean Jackson, Member
Voted: Yes No Abstain


Jonathan Sena, Member
Voted: Yes No Abstain

Lea County

AUG 23 2018

LCBCC Meeting

Richard Don Jones
Richard Don Jones, Member
Voted: Yes No Abstain

ATTEST: Keith Manes
Lea County Clerk

By: Kelli Williams
Kelli Williams, Deputy Clerk

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

John W. Caldwell
John W. Caldwell, County Attorney



**Minutes of Meeting
Lea County Board of Commissioners
July 26, 2018**

Chair Black called the meeting to order at 8:00 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 by telephone, 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-JUL-135R Approving the following Meeting Minutes:

- June 8, 2018 Special Meeting (Certify Canvass of June 5, 2018 Primary Election)
- June 8, 2018 Regular Meeting
- July 19, 2018 Special Meeting

Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-135R approving the June 8, 2018 Special Meeting Minutes to Certify the June 5, 2018 Canvass, June 8, 2018 Regular Meeting Minutes and July 19, 2018 Special 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, abstain; Commissioner Jones, yes. The motion passed.

- Consideration of Approval of Lea County Resolution No 18-JUL-136R Approving the Lea County Board of County Commissioners Revised Meeting Dates and Times for the Remainder of 2018

Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-136R approving the Lea County Board of County Commissioners Revised Meeting Dates and Times for the Remainder of 2018. 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.

- Public Comments

There were no public comments.

- Commissioners and Manager Comments

Commissioner Sena wished Commissioner Jones a Happy Anniversary.

- Recognition of County Employees – Service Awards

Sheriff Helton recognized Karina Tello for 1 year of service.

Fairgrounds Manager Kemp recognized Dylan Peden and Brandy Campbell for 1 year of service.

Director Low recognized Elizabeth White for 1 year of service.

Treasurer Marinovich recognized Angela Sanchez for 5 years of service.

Director Ford recognized Kelly Burkley for 5 years of service.

Director Velasquez recognized Tammy Hughes for 5 years of service.

Administrator Lathrop recognized Gina Davis for 10 Years of service.

- Recognition of County Departments & Individuals

Sheriff Helton recognized Deputy Brown for good conduct. Deputy Brown has worked 3 years with no disciplinary action. He received a medal for good conduct.

Sheriff Helton recognized Deputy Sandoval and Deputy Holly for their life saving efforts. Both of them received lifesaving medals

Manager Gallagher recognized Vice Chair Long for becoming the President of the New Mexico Association of Counties.

Manager Gallagher recognized Warden Quintana, Lieutenant Fountain, and Lieutenant Maldonado, for their hard work, receiving accreditation for the juvenile unit with no findings on their audit.

Manager Gallagher recognized Director Martinez, Danette Martinez and the staff at the Lea County Communications Authority for receiving their reaccreditation with no findings.

Manager Gallagher recognized Director Low and the Finance Department for receiving the GFOA Budget Presentation Award.

- Consideration of Approval of Lea County Resolution No. 18-JUL-137R Approving Out of State Travel July 26-28, 2018 to Washington D.C. with New Mexico County Delegates to Participate in Legislative Meetings at the White House

Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-137R Approving Out of State Travel July 26-28, 2018 to Washington D.C. with New Mexico County Delegates to Participate in Legislative Meetings at the White House. 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.

ITEM 02: ACTION ITEMS

- Consideration of Approval of Lea County Resolution No. 18-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. 18-JUL-138R Treasurer's 4th Quarter Financial 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-JUL-139R Approving Memorandum of Understanding Between Lea County and Nor-Lea Hospital District Regarding the Dal Paso Building (Michael Gallagher, County Manager)

Manager Gallagher requested approval. David Shaw, CEO with Nor-Lea presented a power point presentation regarding expanding the Hobbs Medical Clinic. Commissioner Sena moved to approve Lea County Resolution No. 18-JUL-139R Approving Memorandum of Understanding Between Lea County and Nor-Lea Hospital District Regarding the Dal Paso Building. 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-JUL-140R Final Budget Adoption 2018-2019 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-140R Final Budget Approval. 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-JUL-141R Approving the Promotion of Robert Lathrop as Information Technology Director (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-141R Approving the Promotion of Robert Lathrop as Information Technology Director. 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-JUL-142R Approving Lea County's Annual Membership into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2018-2019 (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-142R Approving Lea County's Annual Membership into the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) for FY 2018-2019. 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-JUL-143R Approving a Memorandum of Understanding between Lea County and the City of Hobbs Regarding Commercial Air Service at the Lea County Regional Airport (Michael Gallagher, County Manager)

Manager Gallagher requested approval. Tres Hicks, past Chair of the Economic Development Corp of Lea County, and Steve Vierck, President and CEO of the Economic Development Corp of Lea County presented a power point presentation regarding Commercial Air Service at the Lea County Regional Airport. Commissioner Sena moved to approve Lea County Resolution No. 18-JUL-143R Approving a Memorandum of Understanding between Lea County and the City of Hobbs Regarding Commercial Air Service at the Lea County Regional Airport. 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-JUL-144R Renewing an Agreement between Lea County and Economic Development Corporation of Lea County to Furnish Commercial Air Service to the Lea County Regional Airport (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-144R Renewing an Agreement between Lea County and Economic Development Corporation of Lea County to Furnish Commercial Air Service to the Lea County Regional Airport. 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 the Lea County Resolution No. 18-JUL-145R to Award Bid No. 03 2018-2019 Asphalt Emulsions – Indefinite Quantity for the Lea County Road Department (Corey Needham, Assistant County Manager – Operations)

Assistant County Manager of Operations requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-145R to Award Bid No. 03 2018-2019 Asphalt Emulsions – Indefinite Quantity for the Lea County Road Department. 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 the Lea County Resolution No. 18-JUL-146R Awarding Proposal No. 02 2018-2019 Legal Counsel Regarding Opioids Litigation for Lea County (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-146R Awarding Proposal No. 02 2018-2019 Legal Counsel Regarding Opioids Litigation for Lea County. 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 the Lea County Resolution No. 18-JUL-147R Approving Daniels Insurance Coverage Proposal (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-147R Approving Daniels Insurance Coverage Proposal. 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-JUL-148R Approving an Agreement between Lea County and Nor-Lea Hospital district for

On-Site Health Care Services at the Lea County Detention Center (Ruben Quintana, Warden)

Warden Quintana requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-148R Approving an Agreement between Lea County and Nor-Lea district for On-Site Health Care Services at the Lea County Detention Center. 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-JUL-149R Approving Memorandum of Understanding between Lea County and Lovington Municipal School District to Provide Qualified Teachers for Students in the Lea County Juvenile Detention Center (Ruben Quintana, Warden)

Warden Quintana requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-149R Approving Memorandum of Understanding between Lea County and Lovington Municipal School District to Provide Qualified Teachers for Students in the Lea County Juvenile Detention Center. 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-JUL-150R Approving Out of State Travel July 30-31, 2018 to Dallas/Fort Worth Airport to Attend Annual Aircraft Rescue & Fire Fighting (ARFF) Training (Lorenzo Velasquez, Director of Emergency Management)

Director Velasquez requested approval. Vice Chair Long moved to approve Lea County Resolution No. 18-JUL-150R Approving Out of State Travel July 30-31, 2018 to Dallas/Fort Worth Airport to Attend Annual Aircraft Rescue & Fire Fighting (ARFF) Training. 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-JUL-151R Approving Recommendations from the Freeholders Committee Regarding the Vacation of Dedicated Right of Way in Block 13 of the Payton Addition in Section 32, Township 19 South, Range 37 East in the Unincorporated Area Known as Monument, Lea County, New Mexico (Bruce Reid, County Planner)

County Planner Reid requested approval. Commissioner Jackson moved to approve Lea County Resolution No. 18-JUL-151R Approving Recommendations from the Freeholders Committee Regarding the Vacation of Dedicated Right of Way in Block 13 of the Payton Addition in Section 32, Township 19 South, Range 37 East in the

Unincorporated Area Known as Monument, Lea County New Mexico. 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: PUBLIC HEARING

- **Public Hearing:** Hearing to Consider Proposed Ordinance that No Employee Within Its Incorporated Boundaries Who is Covered by the NLRB Act Need Join or Pay Dues to a Union or Refrain from Joining a Union as a Condition of Employment

Chair Black called a break at 9:08 a.m. The meeting reconvened at 9:20 a.m.

At 9:20 a.m. Chair Black called the Public Hearing into order. He opened the floor for comments concerning the Ordinance.

Tres Hicks was sworn in, he made comments in favor of Right to Work.

Cristina Arnold was sworn in, she made comments in favor of Right to Work.

Ali Ennenga was sworn in, she made comments in favor of Right to Work.

Steve Vierck was sworn in, she made comments in favor of Right to Work.

Larry Sonntag was sworn in, he made comments in favor of Right to Work.

Juan Carlos Torres was sworn in, he made comments against Right to Work.

Chris Suavedra was sworn in, he made comments against Right to Work.

- Pursuant to Section 10-15-1 (H7), of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Threatened Litigation Involving Legislative

Authority of New Mexico Counties, as Authorized by NMSA 1978 as Authorized by the Open Meetings Act.

- At 9:37 a.m. Vice Chair Long moved to convene in Executive Session pursuant to **Section 10-15-1, (H7), of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Threatened Litigation Involving Legislative Authority of New Mexico Counties, 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 9:53 a.m.

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

- Consideration of Approval to Adopt Lea County Ordinance No. 93 – An Ordinance Relating to Promotion of Economic Development and Commerce by Regulation of Certain Involuntary Payments Required of Employees in Lea County (Ron R. Black, Chair)

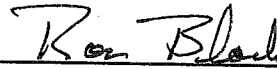
Vice Chair Long moved to adopt Lea County Ordinance No. 93 An Ordinance Relating to Promotion of Economic Development and Commerce by Regulation of Certain Involuntary Payments Required of Employees in Lea County. The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Black yes; Vice Chair Long, yes; Commissioner Jackson, yes; Commissioner Sena; yes; Commissioner Jones, yes.

ITEM 05: OTHER BUSINESS

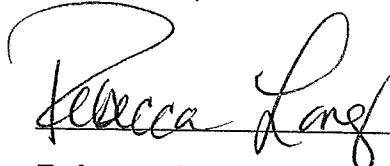
There was no other business.

The meeting adjourned at 9:54 a.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



Ron Black, Chair



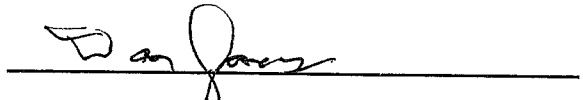
Rebecca Long, Vice Chair



Dean Jackson, Member



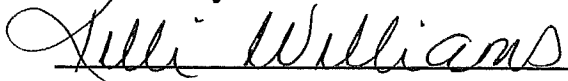
Jonathan Sena, Member



Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk



Kelli Williams

