

**Minutes of Meeting
Lea County Board of Commissioners
October 8, 2020**

Chair Long called the meeting to order at 9:00 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Vice Chair Dean Jackson, District 1, Chair Rebecca Long, District 2, Commissioner Gary G. Eidson, 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 Eidson led the Pledge of Allegiance followed by the Invocation by Commissioner Sena.

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 20-OCT-208R Approving the September 17, 2020 Regular Meeting Minutes.

Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 20-OCT-208R Approving the September 17, 2020 Regular Meeting Minutes. The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Public Comments

County Clerk Keith Manes stated that the polls will not be shut down.

- Commissioner and Manager Comments

Commissioner Eidson stated to keep politicians and teachers in our thoughts and prayers.

Commissioner Sena thanked teachers and working parents for all that they are doing.

- Consideration of Lea County Resolution No. 20-OCT-209R Approving the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2021. *(Sandrea Brito, Executive Coordinator)*

Coordinator Brito requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-209R Approving the Lea County

Board of County Commissioners Meeting Dates for Calendar Year 2021. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, no. The motion passed.

- Discussion of General Obligation (Higher Ed) Bond C. (*Dr. Kelvin Sharp, President, New Mexico Junior College*)

President Sharp presented a discussion of General Obligation (Higher Ed) Bond C.

ITEM 02: ACTION ITEMS

- Consideration of Lea County Resolution No. 20-OCT-210R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing Wednesday, August 4, 2021 as a "Free Admission" Day During the 2021 Lea County Fair and PRCA Rodeo. (*Jim Kemp, Fairgrounds General Manager on behalf of Fair & Rodeo Board*)

General Manager Kemp requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-210R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing Wednesday, August 4, 2021 as a "Free Admission" Day During the 2021 Lea County Fair and PRCA Rodeo. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-211R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing an Agreement between Lea County and Marleah Cramer Photography for the Official Lea County Fair Photographer During the 2021 Lea County Fair & PRCA Rodeo. (*Jim Kemp, Fairgrounds General Manager on behalf of Fair & Rodeo Board*)

General Manager Kemp requested approval. Chair Long asked if there were any public comments regarding this agenda item. Commissioner Jones moved to approve Lea County Resolution No. 20-OCT-211R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing an Agreement between Lea County and Marleah Cramer Photography for the Official Lea County Fair Photographer During the 2021 Lea County Fair & PRCA Rodeo. The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-212R Approving a Recommendation from the Lea County Planning & Zoning Board for the Approval of the Preliminary Plat of Mesquite Draw Subdivision in Section 31, Township 17 South, Range 31 East, N.M.P.M. in Lea County, New Mexico. (*Bruce Reid, County Planner on Behalf of the Planning & Zoning Board*)

County Planner Reid requested approval. Chair Long asked if there were any public comments regarding this agenda item. Lucas Williams made comments on behalf of Steve & Pam Matthews in objection to the Mesquite Draw Subdivision. Williams continued by explaining the reasons they believe the Lea County Planning & Zoning Board have been operating under misapprehensions. Kathy Moran made comments on behalf of the citizens of Lea County who would like to bring affordable housing to Lea County. Moran continued by explaining all the steps that were taken by Mr. Johncox in order to apply for the subdivision. Tayni Kennedy, resident of Matt Drive located west of the proposed subdivision made comments in regards to objecting the resolutions. Lucas Williams made comments to clarify his previous comments and respond to points made by Moran.

CLOSED SESSION

• Board of County Commissioners

- Pursuant to Section 10-15-1 (H7), (H8), of the New Mexico Statutes Annotated (NMSA) 1978; to Deliberate in Connection with an Administrative Adjudicatory Proceeding Namely a Request for Approval of a Preliminary Plat by Daniel Johncox for a Proposed Mesquite Draw Subdivision, as Authorized by the NMSA 1978 § 10-15-1 H (3).
- At 10:11 a.m. Vice Chair Jackson moved to convene in Executive Session pursuant to **Section 10-15-1 (H7), (H8), of the New Mexico Statutes Annotated (NMSA) 1978; to Deliberate in Connection with an Administrative Adjudicatory Proceeding Namely a Request for Approval of a Preliminary Plat by Daniel Johncox for a Proposed Mesquite Draw Subdivision as Authorized by the Open Meetings Act.** The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Sena, yes; Commissioner Eidson, yes; Commissioner Jones, yes. The motion passed.

The meeting reconvened at 10:48 a.m.

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

County Manager Gallagher presented 9 items listed as the requirements for a preliminary plat outline in section 4.5 of the county's subdivision regulation of the county's subdivision ordinance. 1. Does the board find that water quantity sufficient to fulfill the maximum annual water requirements of the subdivision including water for indoor and outdoor domestic uses? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, no; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, no. 2. Do you find that water is of an acceptable quality for human consumption and there are measures taken to protect the water supply from contamination? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 3. Do you find there is a means of liquid waste disposal for the subdivision? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, no; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 4. Do you find there is a means of solid waste disposal for the subdivision? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, no; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 5. Do you find there are satisfactory roads to each parcel including the entry and exit for emergency vehicles and there are appropriate utility easements to each parcel? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 6. Do you find that the terrain management protects against flooding, inadequate drainage and erosion? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 7. Do you find that there are protections for cultural properties archeological sites and unmarked burials that maybe directly affected by the subdivision as required by the ordinance? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 8. Do you find that the sub divider can fulfil the proposals contained in the disclosure statement for the subdivision? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. 9. Do you find that the subdivision will conform with the New Mexico subdivision act and these in county's ordinance regulations? Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. Commissioner Sena moved to approve Lea County Resolution No. 20-OCT-212R Approving a Recommendation from the Lea County Planning & Zoning Board for the Approval of the Preliminary Plat of Mesquite Draw Subdivision in Section 31, Township 17 South, Range 31 East, N.M.P.M. in Lea County, New Mexico. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-213R Approving a Temporary Construction Permit Agreement between Lea County and the New Mexico Department of Transportation for Project Number 2101381 Parcel 5-TCP-3 as part of the Downtown Lovington Main Street Renovations. *(Francisco Sanchez, Assistant District Engineer, New Mexico Department of Transportation)*

Engineer Sanchez requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-213R Approving a Temporary Construction Permit Agreement between Lea County and the New Mexico Department of Transportation for Project Number 2101381 Parcel 5-TCP-3 as part of the Downtown Lovington Main Street Renovations. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-214R Approving a Donation Contract between Lea County and the New Mexico Department of Transportation for Project Number 2101381 Parcel 5-TCP-3 as part of the Downtown Lovington Main Street Renovations. *(Francisco Sanchez, Assistant District Engineer, New Mexico Department of Transportation New Mexico Department of Transportation)*

Engineer Sanchez requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-214R Approving a Donation Contract between Lea County and the New Mexico Department of Transportation for Project Number 2101381 Parcel 5-TCP-3 as part of the Downtown Lovington Main Street Renovations. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-215R Approving Grant No. G19SN0017A Modification No. 4 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2019 to 12/31/2020. *(Wm Robert Sullivan, HIDTA Region VI Drug Task Force Commander)*

Commander Sullivan requested approval. Chair Long asked if there were any public comments regarding this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 20-OCT-215R Approving Grant No. G19SN0017A Modification No. 4 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2019 to 12/31/2020. The motion was

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

- Consideration of Lea County Resolution No. 20-OCT-216R Approving Grant No. G19SN0017A Modification No. 5 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2019 to 12/31/2020. (*Wm Robert Sullivan, HIDTA Region VI Drug Task Force Commander*)

Commander Sullivan requested approval. Chair Long asked if there were any public comments regarding this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 20-OCT-216R Approving Grant No. G19SN0017A Modification No. 5 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2019 to 12/31/2020. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-217R Approving the Submittal of a Grant Application and Agreement between Lea County and New Mexico Department of Transportation for the Safer New Mexico DWI Grant and Safety Funds for FY 2021 – 2022 to Include: End Driving While Impaired (ENDWI) Project No. 01-AL-64-051; Buckle Up (BKLUP)/Click It or Ticket (CIOT) Project No. 01—OP-RF-051; and Selective Traffic Enforcement Program (STEP)/Summer Enforcement Period Project No. 01-PT-RF-051; for Total Funding Award of \$25,783.00. (*Chief Deputy Chan Kim, Sheriff's Office*)

Chief Deputy Kim requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-217R Approving the Submittal of a Grant Application and Agreement between Lea County and New Mexico Department of Transportation for the Safer New Mexico DWI Grant and Safety Funds for FY 2021 – 2022 to Include: End Driving While Impaired (ENDWI) Project No. 01-AL-64-051; Buckle Up (BKLUP)/Click It or Ticket (CIOT) Project No. 01—OP-RF-051; and Selective Traffic Enforcement Program (STEP)/Summer Enforcement Period Project No. 01-PT-RF-051; for Total Funding Award of \$25,783.00. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-218R Approving an Agreement between Lea County and Quay County to House Detainees at the Lea County Detention Center and Lea County Juvenile Detention Center. *(Michael Gallagher, Lea County Manager)*

County Manager Gallagher requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-218R Approving an Agreement between Lea County and Quay County to House Detainees at the Lea County Detention Center and Lea County Juvenile Detention Center. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-219R Approving the 2021 Lea County Employee Calendar. *(Craig Bova, Human Resources Director)*

Director Bova requested approval. Chair Long asked if there were any public comments regarding this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 20-OCT-219R Approving the 2021 Lea County Employee Calendar. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, no. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-220R Approving the Lea County Indigent Claims Burial/Cremation Report. *(Chip Low, Finance Director)*

Director Low requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-220R Approving the Lea County Indigent Claims Burial/Cremation Report. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

- Consideration of Lea County Resolution No. 20-OCT-221R Approving the Findings and Proposed Disposition of Inventory. *(Chip Low, Finance Director)*

Director Low requested approval. Chair Long asked if there were any public comments regarding this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 20-OCT-221R Approving the Findings and Proposed Disposition of Inventory. The motion was seconded by Commissioner

Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

ITEM 03: DISCUSSION ITEMS

- Discussion of the CARES Act Awards Funding. *(Michael Gallagher, County Manager)*

Manager Gallagher presented a discussion of the CARES Act Awards Funding.

ITEM 04: OTHER BUSINESS

There was no other business

The meeting was adjourned at 11:23 a.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO

Rebecca Long

Rebecca Long, Chair

Dean Jackson

Dean Jackson, Vice Chair

Gary G. Eidson

Gary G. Eidson, Member

Jonathan Sena

Jonathan Sena, Member

Richard Don Jones

Richard Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk

Hollye Shearer

Hollye Shearer

