

**Minutes of Meeting
Lea County Board of Commissioners
February 25, 2014**

Chairman Fulfer called the meeting to order at 9:07 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Commissioner Dale Dunlap District 1, Commissioner Mike Whitehead District 2, Vice Chairman Ron Black District 3, Commissioner Thomas G. Pierce District 4 and Chairman Gregory H. Fulfer District 5.

Also present were County Manager Michael P. Gallagher II and County Attorney Lee A. Kirksey

Commissioner Dunlap led the Pledge of Allegiance followed by the Invocation by Vice Chairman Black.

ITEM 01: COMMISSION

Chairman Fulfer stated, we need to move item five public works before item two. Commissioner Dunlap moved to move item five public works in front of item two. The motion was seconded by Commissioner Pierce and passed unanimously.

- **Board of County Commissioners**

- Consideration of Approval of the February 13, 2014 Minutes

Commissioner Dunlap moved to approve the February 13, 2014 minutes. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Discussion of Committee Reports

There were no Committee reports

Set/Confirm Next Meeting(s):

- Thursday, March 06, 2014 at 9:00 a.m. Special Meeting
- Thursday, March 13, 2014 at 9:00 a.m.
- Thursday, March 27, 2014 at 9:00 a.m.
- Thursday, March 27, 2014 at 1:00 p.m. Outside Agency Funding Request

The next meetings will be 9:00 a.m. **March 06, 2014 Special Meeting, and March 13, 2014; March 27, 2014 at 9:00 a.m. and March 27, 2014 at 1:00 p.m. Outside Agency Funding Request;** in the Lea County Commission Chambers.

- Consideration of Approval of Appointments to Lea County Active Boards:
 - Lea County Airports Advisory Board
 - District 2 No appointment
 - Lea County DWI Advisory Committee
 - District 2 No appointment
 - District 4 No appointment
 - District 5 No Appointment
 - Lea County Environmental Services Advisory Committee
 - District 2 No appointment
 - District 4 No appointment
 - Lea County Fair and Rodeo Board
 - District 3 No appointment
 - Lea County Planning and Zoning Board
 - District 5 No appointment
 - Lea County Road Advisory Committee
 - District 2 Reappoint Mark Gainer
 - District 4 No appointment

Commissioner Pierce moved to approve the appointments to Lea County active boards. The motion was seconded by Vice Chairman Black and passed unanimously.

- **Public Works** (Airports/Engineering/Roads) – Corey Needham, Director
 - Discussion of Lea County Public Works Activity Report

Director Needham reported, we have been busy with caliche work and shoulder work on our roadways. Campbell has been our main target over the past month. We did about 40 miles of mowing; this will increase now that we have a new mower.

- Discussion of Lea County Road Reclassification

Director Needham presented a map explaining the Lea County road reclassifications. He stated, within the Federal Highway Administration, roadways are classified anywhere from minor roadways, to collective roadways, all the way up to arterial and freeways type roadways. The federal government, with Map-21 funding, will only fund roadways that are classified as a major collector rural or higher. Currently, the Lovington bypass, the Hobbs bypass and part of Knowles are classified high enough to receive this federal money. Manager Gallagher stated we are going to try to pass this by Resolution at the next meeting so if there are any other roadways that you have in mind please bring them to Director Needham's attention before then.

- Consideration of Approval of 2014-2015 2nd Option to Renew Aggregate for Surface Treatment Agreement between Lea County and Constructors Inc.

Director Needham requested approval. He stated, this is the rock that is used on the maintenance chip seal every year. This was originally awarded in 2011 to Constructors Inc. This is the 2nd option to renew. Commissioner Dunlap moved to approve the 2014-2015 2nd option to renew aggregate for surface treatment agreement between Lea County and Constructors Inc. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 02: BOARDS/COMMITTEES

- **Fair & Rodeo Board – Corey Helton, Chairman**

- Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of Agreement between Lea County and Lovington Chamber of Commerce for Producing the 2014 Annual Lea County Fair & Rodeo Parade

Chairman Helton requested approval. He stated, this is for the amount of \$2,500, there have been no changes. Vice Chairman Black moved to approve the agreement between Lea County and Lovington Chamber of Commerce for producing the 2014 Annual Lea County Fair & Rodeo parade. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of Agreement between Lea County and Karl Pazdernik of Equilibrium Circus for Performances during the 2014 Annual Lea County Fair & Rodeo

Chairman Helton requested approval. He stated last year's cost was \$5,600; there was an increase of \$500 this year, for three shows per day starting on the 6th through the 9th. Vice Chairman Black moved to approve the agreement between Lea County and Karl Pazdernik of Equilibrium Circus for performances during the 2014 annual Lea County Fair & Rodeo. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Recommendation from the Lea County Fair & Rodeo Board for the Approval of the Sanctioned Rodeo Committee/Venue Producer Television Network and Marketing Agreement between Lea County and PRCA Properties, Inc. for the Lea County Extreme Bulls Event on August 5, 2014 during the Annual Lea County Fair & Rodeo

Chairman Helton requested to table the next item. He stated, this had been reviewed by our attorneys and there had been some changes made and sent back to the PRCA. We have not received it back from them yet. Commissioner Pierce asked if it would be ok if we approved it with changes. Lea County Attorney Kirksey stated that

would be ok. Commissioner Pierce moved to approve the sanctioned rodeo committee/venue producer television network and marketing agreement between Lea County and PRCA Properties, Inc. for the Lea County Extreme Bulls event on August 5, 2014 during the annual Lea County Fair & Rodeo contingent on final legal review. The motion was seconded by Vice Chairman Black and passed unanimously.

ITEM 03: OUTSIDE ENTITIES

- **New Mexico Health Insurance Exchange – David Shaw, Legislative Appointee – Lovington**
 - Presentation of New Mexico Health Insurance Exchange Program

Grant Writer & County Planner Gasch stated this next item is part of a grant that some of you had expressed interest in. It is a \$3,000 grant for the counties to work with the NM Association of Counties to implement, outreach, and educate individuals about the New Mexico Health Insurance Exchange. This is to conduct public awareness and activities. He introduced David Shaw, CEO at Nor Lea Hospital and Legislative Appointee for the New Mexico Health Insurance Exchange. Mr. Shaw presented a power point presentation. He went through a breakdown of the Health Insurance Exchange the process of getting affordable health insurance, various plans, and the deadline for having coverage along with the penalties of not being covered. He introduced Melba Lujan, Certified Health Care Guide with Nor Lea General Hospital. She stated, I assist patients with the enrollment process. She explained how they help the patients get enrolled in the insurance program, or how they will determine if a patient is qualified for Medicaid. Commissioner Pierce asked how this will affect the indigent care program that the County has. Mr. Shaw stated, if everything works as planned, everyone is required to have insurance. The problem is the lack of people enrolling. However, if they did, it would address a lot of the issues with indigent care. The reimbursement is less than traditional insurance, but it is better than nothing.

ITEM 04: MANAGER

- **Lea County Manager – Michael P. Gallagher II**
 - Consideration of Approval of Travel

Manager Gallagher requested approval. Commissioner Pierce moved to approve the travel request. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Funding and Sponsorship of Lea County Black Gold BBQ Blow-out Inc

Manager Gallagher requested approval. He stated, this is part of the ability to offer a variety of quality of life activities, entertainment, and tourism opportunities in Lea County. This is for a sponsorship sanctioned event. We anticipate over 100 teams. It will be at the Event Center on September 12-13, 2014. The Food Channel, ESPN, and the National BBQ Business Conference are also sponsors of this event and it is part of the ESPN World BBQ Tournament. He stated, I am asking for a \$20,000 sponsorship and authorization to approve the necessary agreement between Lea County and Black Gold BBQ Blow Out Inc. Commissioner Whitehead asked if this is coming out of the \$100,000 budget that was given to Hobbs for quality of life projects. Manager Gallagher stated yes this would come out of that line item. Commissioner Whitehead moved to approve funding and sponsorship of Lea County Black Gold BBQ Blow-Out Inc. The motion was seconded by Commissioner Dunlap and passed unanimously.

ITEM 05: COUNTY DEPARTMENTS

- **Communication Authority – Angela Martinez, Director**
 - Discussion of Lea County Communications Authority Activity Report

Director Martinez went through a breakdown of the Lea County Communications Authority activity report. Commissioner Pierce asked if there had been any activity on the towers. She stated, as of today, we have started drilling the holes; and the completion date on that is April 20th, 2014. Manager Gallagher stated there is a meeting within the next week with the University of the Southwest and a couple of developers to discuss the landscaping possibilities to minimize the appearance of the 350 ft. tower that is proposed to be in that area.

- **Detention Center – Ruben Quintana, Chief**
 - Discussion of Lea County Detention Center Activity Report

Chief Quintana reported on the Detention Center activity report. He stated for the month of January our work detail picked up 680 bags of trash within 76 miles of road. For the month of January the daily average of adult inmates was 384, the daily average of juvenile inmates was 10, and the daily average of federal inmates was 91.

- **DWI Program – Kelly Ford, Director**

- Discussion of Lea County DWI Program Activity Report

Director Ford went through a breakdown of the Lea County DWI Program activity report. She stated for the month of January we received 20 new cases for treatment bringing the counselors total to 107. She closed 26 cases successfully in the month of January. Probation received 46 new cases, filed 25 probation violations with the courts, and closed 24 files “successful” and 15 “unsuccessful”. She stated for community service we have 97 offenders who picked up 107 bags of trash. Chairman Fulfer asked if there had been an increase in DWI offenders in the County and if it was because of the increase in the population in the County. She stated, there had been an increase and that could be a factor, but we usually have higher cases around the holidays. Commissioner Pierce asked if a lot of the violators are locals, or if a big majority of them are from out of town. She stated the majority of our probationers are Lea County residents; however there is quite a bit that are from out of County and even out of State.

- Consideration of Approval of the following regarding the FY 2015 Local SWI Grant and Distribution Program

- Lea County Resolution No. 14-FEB-007R Authorizing the County to Submit an Application to the Department of Finance and Administration, Local Government Division to Participate in the Local DWI Grant and Distribution Program
- Grant/Distribution Funding Application

Director Ford requested approval. She stated this is to establish a grant distribution program available to Lea County and to apply for the application. The application total for our grant and distribution is \$461,757.25. Commissioner Whitehead moved to approve Resolution No. 14-FEB-007R and the grant/distribution funding application. The motion was seconded by Commissioner Pierce and passed unanimously.

- Memorandum of Understanding between Lea County and New Mexico Department of Finance and Administration, Local Government Division, Driving While Intoxicated Program
- Assurances and Cooperative Agreement between Lea County and New Mexico Department of Health, Epidemiology and Response Division
- Statement of Assurances

Director Ford requested approval. Vice Chairman Black moved to approve the memorandum of understanding between Lea County and the New Mexico Department of Finance and Administration, Local Government Division, Driving While Intoxicated Program. The motion was seconded by Commissioner Dunlap and passed unanimously.

- **Emergency Management/Environmental Services/Maintenance – Lorenzo Velasquez, Director**

- Discussion of Lea County Emergency Management Activity Report

Director Velasquez reported on the Lea County Emergency Management activity report. In the month of January there were three and a half acres lost to grassfires with a total of five calls. There were 65 medical runs in the County.

- Consideration of Approval of the following Amendments to Sub Grant Agreements between Lea County and New Mexico Department of Homeland Security & Emergency Management:
 - Amendment No 3 of Sub Grant Agreement EMW-2011-SS-00094-S01-Lea
 - Amendment No. 2 of Sub Grant Agreement EMW-2012-SS-00097-S01-Lea

Director Velasquez requested approval. The termination date is February 28, 2014. The equipment has been purchased and everything has been done. We need to submit an RFP to Homeland Security. Commissioner Pierce moved to approve amendments to sub grant agreements between Lea County and New Mexico Department of Homeland Security & Emergency Management. The motion was seconded by Commissioner Pierce and passed unanimously.

- Discussion of Lea County Environmental Services Activity Report

Director Velasquez reported on the Lea County Environmental activity report. He stated for the month of January there were 44 animals that went to shelters, with a total of 74 animal control calls. There were 39 illegal dump sites located and cleaned.

- Discussion of Lea County Maintenance Activity Report

Director Velasquez reported on the Lea County Maintenance activity report.

- **Event Center/Fairgrounds/Marketing – Lyn Edwards, Director**

- Discussion of Lea County Event Center and Fairgrounds Activity Report

Director Edwards reported on the Lea County Event Center and Fairgrounds activity report. She stated there were 44 event days for the event center, with a total of 4,791 people attending these events.

- **Grants Services/Planning – David Gasch, Grant Writer & County Planner**

- Discussion of Lea County Grants and Planning Activity Report

Grant Writer and County Planner Gasch reported on the Lea County Grants and Planning activity report. He stated we have two open subdivision applications. They were reviewed in January by the Planning and Zoning Board, and tabled for Pettigrew to make some changes to fit our regulations. We are expecting to review these again at the March 11, 2013 meeting. We had four claims of exemptions completed and two open right now. He stated as far as grants, we received two grant approvals. One approval was for the New Mexico Health Insurance Exchange, the other was technical assistance from the National Parks Service.

- Consideration of Approval of Memorandum of Understanding between Lea County and City of Jal regarding the Colonia Bennett Project

Grant Writer and County Planner Gasch requested approval. He stated this was approved in a special meeting at the City of Jal last night between the entities showing collaboration in the Colonia Bennett Project. Vice Chairman Black moved to approve the Memorandum of Understanding between Lea County and City of Jal regarding the Colonia Bennett Project. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Lea County Resolution No. 14-FEB-005R Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval (Water Project Fund) to the New Mexico Finance Authority regarding the Colonia Bennett – Water Project Fund

Grant Writer and County Planner Gasch requested approval. He stated this is a grant for water storage conveyance and delivery. We were approved initially in October. The application deadline is March 14, 2014. Commissioner Dunlap moved to approve Lea County Resolution No. 14-FEB-005R authorizing and approving submission of a completed application for financial assistance and project approval (water project fund) to the New Mexico Finance Authority regarding the Colonia Bennett. The motion was seconded by Commissioner Pierce and passed unanimously.

- Consideration of Approval of the following regarding the Colonia Bennett - Colonias Infrastructure Fund:
 - Lea County Resolution No. 14-FEB-006R Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval (Colonias Infrastructure Fund) to the New Mexico Finance Authority
 - Certification of Authority to Request Funds and Repayment of any Colonias Infrastructure Project Fund Loans

Grant Writer and County Planner Gasch requested approval. He stated this is for the Colonias Infrastructure Fund. Commissioner Pierce moved to approve Resolution No. 14-FEB-006R and the certification of authority to request funds and repayment of any Colonias Infrastructure Project Fund Loans. The motion was seconded by Commissioner Whitehead and passed unanimously.

- **Administrative Services (Finance/Grants/Information Technology) – Manager Michael Gallagher on behalf of Director Sherri Bunch**

- Discussion of Lea County Finance and Information Technology Activity Report

Director Bunch presented a power point presentation, concerning the Lea County Finance and Information Technology activity report. She stated we are currently administering 39 open grants and we have 150 active contracts. IT responded to about 500 service calls.

- Consideration of Approval of 2014-2015 2nd Option to Renew Contract Labor Services Agreement between Lea County and LCL Staffing, LLC, f/k/a Workplace Staffing Solutions LLC

Director Bunch requested approval. She stated this is our 2nd option to renew It used to be called Workplace Staffing but, is now called LCL Staffing, LLC. This company provides our temporary labor services. There have been a couple of amendments to the agreement but the financial aspect of this contract is the same. Commissioner Pierce moved to approve 2014-2015 2nd option to renew contract labor services agreement between Lea County and LCL Staffing, LLC. The motion was seconded by Commissioner Whitehead and passed unanimously.

- Consideration of Approval of Accounts Payable

Director Bunch requested approval. Commissioner Whitehead moved to approve the Accounts Payable. The motion was seconded by Commissioner Pierce and passed unanimously.

ITEM 05: PUBLIC

- **Public**

There were no public comments

ITEM 06: EXECUTIVE SESSION

• **BOARD OF COMMISSIONERS**

- Pursuant to Section 10-15-1 (H2), (H7) & (H8) of the New Mexico Statutes Annotated (NMSA) 1978; to discuss limited personnel matters, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights.

At 10:47 a.m. Commissioner Pierce 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, threatened or pending litigation and the purchase, acquisition or disposal of real property or water rights**. The motion was seconded by Commissioner Whitehead. Secretary polled the Commission: Commissioner Dunlap, yes; Commissioner Pierce, yes; Commissioner Whitehead, yes; Vice Chairman Black, yes; Chairman Fulfer; yes.

Commissioner Whitehead moved to reconvene in Regular Session. The motion was seconded by Commissioner Pierce and passed unanimously. The meeting reconvened at 11:43 a.m.

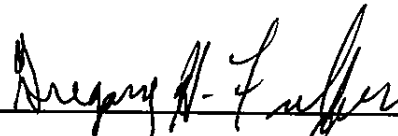
The Commission convened in Closed Session to discuss items relative to the purchase acquisition or disposal of real property, or water rights. No action was taken by the Commission during closed session.

09: OTHER BUSINESS

Chairman Fulfer stated I would like for staff to check into an attorney for the options and the constitutionality of Senate Bill 268, which was passed. I would also like to schedule a special meeting on March 06, 2014 to discuss this matter and be presented with this information. I would like to discuss this and how this may affect the budget.

The meeting was adjourned at 11:45 a.m.

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



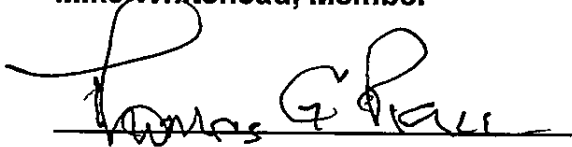
Gregory H. Fulfer, Chairman



Ron Black, Vice Chairman

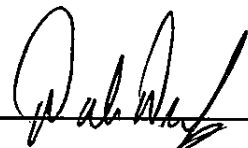


Mike Whitehead, Member

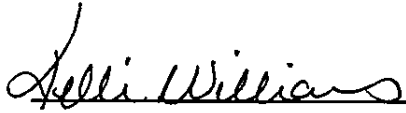


Thomas G. Pierce, Member

ATTEST: Pat Chappelle
Lea County Clerk



Dale Dunlap, Member



Kelli Williams

