

Lea County Planning & Zoning Board
Regular Meeting
Tuesday, September 8, 2015 9:30A.M.
Lea County Commission Chambers, 100 N. Main, Lovington, NM

ITEM 01: **CALL TO ORDER** - Chairman Kallie Windsor called the meeting to order at 9:30A.M. at the Lea County Commission Chambers. Members present were Kallie Windsor, Guy Kesner, Kay Hardin, Gary Eidson and Johnny Hopper. Also present were Lea County Planner Bruce Reid, County Attorney John Caldwell, Bobby Shaw and Lea County Administrative Coordinator Monica Russell.

ITEM 02: **Comments from the Public**

There were no comments from the public.

ITEM 03: **Consideration of Approval of the August 11, 2015, Minutes**

Mr. Hopper motioned to approve the minutes of the August 11, 2015, meeting. Motion seconded by Mr. Kesner and carried unanimously.

ITEM 04: **Consideration of Approval of Address Variance for a Permanent Address at 5701 West Pawnee Road.**

Mr. Reid stated that Tracts 1 and 2 were split under Runnels #3 as a claim of exemption two or three months ago. Mr. Neff has purchased Tract 2 and tried to get a permanent address from the City of Hobbs, but can't because he can't as the road isn't chip sealed. This also means he's not able to get an electric meter. He also can't get any kind of financing without a permanent address. Mr. Shaw stated that Pawnee is chip sealed up to the edge of this property, and that this is an approved subdivision with a private road because the road was never properly improved.

Mr. Shaw stated that there is confusion around addressing policies that are implemented by the City of Hobbs that the county is having to follow.

Ms. Windsor stated that on October 28, 2014, there was a City of Hobbs Planning Board work session with the Lea County Planning & Zoning Board at which the City of Hobbs Private Driveway/Private Roadway Design Standards were supposed to be reviewed, but only member of the LCPZB that was present was Mr. Kesner. Mr. Shaw stated that the standards were adopted by the City of Hobbs on December 1, 2014. He also stated that the addressing process is too round-about and no entities are making decisions.

Mr. Shaw looking at subdividing Ms. Runnels subdivision and the subdivision will need to be improved. He will bring this before the board at a later date. He also suggested that copies of restrictive covenants and disclosure statements should be included with title binders.

Mr. Eidson motioned to grant the variance on the address. Motion seconded by Mr. Hopper. Motion carried with Mr. Kesner voting against.

ITEM 05: Discussion of Issues with City of Hobbs Addressing Manual and Its Application in the Hobbs Extraterritorial Zone.

ITEM 06: Discussion of General Extraterritorial Concerns Including Roads, Chip-sealing of Roads, and Addressing of Residences in the Co-op Areas In Lea County.

Mr. Shaw stated that he was the only member of the Hobbs Planning and Zoning Board to vote against adopting the addressing manual. He requested that the county take over addressing in the extraterritorial zone as there is too much complication with the City of Hobbs issuing addresses. Xcel won't set a meter and a mortgage can't be obtained without a permanent address. He also stated that the Postmaster will not consider a permanent address unless it is an enhanced 911 address.

Ms. Windsor stated that Kevin Robinson with the City of Hobbs Planning and Zoning Board said that the County has final say in issuing addresses.

The City of Hobbs issues addresses in ETZ.

Mr. Shaw stated that the City of Hobbs is still implementing a policy on county properties when they have no right to do so. Mr. Kesner stated that board members have to keep in mind what is going to happen with subdivisions in the distant future, not just what is taking place in the immediate future.

Mr. Shaw stated that future owners need to be made aware that variances will need to be applied for when trying to obtain an address on a private road. Mr. Kesner stated that he has no problem with the county taking over addressing but that the LCPZB needs to plan what kinds of restrictions and guidelines it wants on addressing. Mr. Shaw stated that this will reduce the process by one step in the ETZ.

Ms. Windsor asked if the county has an addressing policy in place. Mr. Reid stated that he doesn't know if there is a policy, but there are guidelines in place, although they are not part of the subdivision regulations.

Mr. Kesner expressed concern for cases where there are several homes on a single parcel of land. Septic systems must be put in, but are they being put in properly or causing contaminating water? Who is responsible for contamination? Mr. Shaw stated that there isn't a need for more ordinances, but for more enforcement by the Environmental Services department. Mr. Reid stated that if those notified of violations still don't comply, the State Environmental Department may get involved. Mr. Kesner asked where the rights of the landowner end and the rights of the adjacent land owner begin.

Ms. Windsor and Mr. Shaw will visit with Mike Gallagher about the county taking back addressing. Mr. Shaw stated that the county didn't give addressing authority

to Hobbs, it just evolved this way. Mr. Reid suggested visiting with county manager and figuring out how this situation evolved.

Mr. Windsor asked Mr. Caldwell about how addressing was assumed by the City of Hobbs. Mr. Caldwell suggested setting up a meeting with the legal and planning departments of both entities to start the discussion as there is no documentation detailing the process

Ms. Windsor stated that the Lovington Lea County Extraterritorial Zoning Authority appointed the Lea County Environmental Services department to enforce Lovington ETZ codes. This board has been inactive until very recently. Mr. Reid stated that Environmental Services has been called into action regarding violations and has some good results.

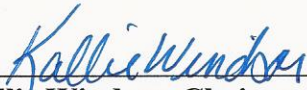
ITEM 07: Set/Confirm Next Meeting(s) - October 13, 2015

The next meeting was confirmed for October 13, 2015, at the Lea County Commission chambers. The following meeting was set for Thursday, November 12, 2015.

ITEM 08: Adjourn

Ms. Hardin motioned to adjourn. Motion seconded by Mr. Hopper and carried unanimously. Meeting adjourned at 10:50A.M.

Lea County Planning & Zoning Board



**Kallie Windsor, Chairman, Lovington Extraterritorial
Zoning Board**



**Guy Kesner, Vice-Chairman, Hobbs Extraterritorial
Zoning Board**



Kay Hardin, Member, District 1



Gary Eidson, Member, District 2



Johnnie Hopper, Member, District 3



Robbie Robinson, Member, District 4



Daniel Johncox, Member, District 5