

Lea County Planning & Zoning Board

Regular Meeting

Tuesday, August 9, 2016 9:30A.M.

Lea County Courthouse Basement Meeting Room, 100 N. Main, Lovington, NM

ITEM 01: Call to Order/Roll Call

Chairman Kallie Windsor called the meeting to order at 9:36A.M. Members present were Kallie Windsor, Gary Eidson, Johnnie Hopper, Dickie Wall, Daniel Johncox and Kay Hardin.

Member absent was Guy Kesner.

Also present were Kyle Brady of Furman Land Surveyors, Bobby Shaw, Lea County Planner Bruce Reid 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 Minutes of July 12, 2016, Meeting

Mr. Wall motioned to approve the July 12, 2016, minutes. Motion seconded by Mr. Johncox and carried unanimously.

ITEM 04: Consideration of Recommendation to Approve Dedication in Fee Simple of a Portion of Bensing Road and a Portion of Lawrence Road in Lea County, New Mexico.

Mr. Reid introduced Kyle Brady of Furman Land Surveys and George Pendergrass of Southwest Public Service. Mr. Brady is in attendance to request approval of dedication in fee simple of portions of Bensing and Lawrence Roads that have not yet been dedicated. The title company will not issue title insurance because there is currently no legal access to the substation.

Mr. Hopper clarified that the dedication is one half mile long and thirty-three feet wide, which has no tie with another dedication. Mr. Kyle stated that the north half of section 18 has been dedicated. Mr. Reid stated that there is no immediately obvious reason for why this half mile was not dedicated but that they are both county-maintained roads.

Mr. Eidson asked why a dedication of thirty-three feet ^{PVE 477} requested instead of thirty. Mr. Brady stated that he met with Mr. Reid, David and Corey Needham. The right of way fence is 32.5 feet and Mr. Needham wanted what the fence was, so the request was made for thirty-three even.

Mr. Hopper pointed out a typo referencing the township and range. Mr. Brady stated

that the existing transmission line is on the south side, in both the tract and in the twenty-five foot strip within the easement, which keeps all poles out of the dedication. Mr. Hopper asked if there is already an existing sixty foot wide SPS easement running east and west. Mr. Brady stated that SPS wanted this location in order to tap into this existing line.

Mr. Brady stated that the warranty deed is for the parent tract. There is a description of the smaller tract on the exemption plat, but title has not yet passed from Norris, since title insurance cannot be issued without legal access.

Mr. Eidson motioned to approve the recommendation to approve dedication in fee simple of a portion of Bensing Road and a portion of Lawrence Road subject to amendments to the plat and the certificate of municipal approval. Motion seconded by Mr. Johncox and carried unanimously.

Mr. Reid will clarify whether the City of Hobbs has to approve the dedication.

ITEM 05: Consideration of Approval of Hughes Subdivision in Section 34, Township 19 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

Mr. Hopper asked if there was already an existing Hughes Subdivision. Mr. Reid stated that this will not be a subdivision as it is three lots or less.

Mr. Reid stated that originally, Tract A2 was Tract A and Tract A1 became Tract A1. Mr. Hughes wants to split off ten acres on the west side and making it into Tract A3. Mr. Reid also pointed out that Tract A somehow became Tract A2.

Mr. Reid left to retrieve the plat. Upon his return, Mr. Johncox motioned to approve Hughes Subdivision. Motion seconded by Ms. Hardin. Mr. Reid stated that this subdivision is called the Hughes land division. Motion carried unanimously, with the exception of Mr. Eidson, who abstained.

ITEM 06: Consideration of Approval of Runnels Subdivision #3, Section 25, Township 17 South, Range 37 East, N.M.P.M. Lea County, New Mexico.

Mr. Reid stated that this subdivision is north of Alabama and south of Pawnee. The landowners want to divide their tract into 1A, 1B and 1C. They all have dedicated access off of Alabama.

Mr. Reid stated that the east 2/10 of a mile on Pawnee are maintained by the county. Mr. Shaw stated that Derek Norris brought in caliche and bladed the west end of the road in order to avoid damage to the road from his own equipment that frequently travels down it.

Mr. Shaw stated that Sweatt Construction originally built the road and claims that it was built to county specs at the time. However, he can't see that the road was built to those specs and is in the process of getting documentation for it. Mr. Reid asked

if there is a petition to get the north side paved. Mr. Shaw stated that the cost is prohibitive for this.

Mr. Wall motioned to approve Runnels Subdivision #3 as presented. Motion seconded by Mr. Johncox and carried unanimously.

ITEM 07: Consideration of Approval of Runnels Subdivision #4, Section 25, Township 17 South, Range 37 East, N.M.P.M. Lea County, New Mexico.

Mr. Reid stated that Tract C and Tract D was essentially Runnels #2. Runnels #4 will be the result of splitting Tract C into eight tracts. Access is off Pawnee with the exception of two lots, which will access off the Lovington Highway for commercial purposes.

Mr. Eidson confirmed that access to the north is from a private road. Mr. Shaw confirmed this and stated that he will make sure that this is disclosed in the description.

Mr. Johncox motioned to approve Runnels Subdivision #4. Motion seconded by Mr. Eidson.

Mr. Johncox stated that since the county approved the Howry Subdivision Unit 3 but responsibility for road maintenance was never established, the county should accept the responsibility for maintenance and not be the burden of Ms. Runnels or the other landowners. Mr. Hopper stated that if this is done, a copy of the Howry Subdivision plat where this is clearly stated needs to be obtained. Mr. Shaw stated that he believes the county does have some responsibility due to lack of oversight.

Ms. Windsor asked if the City of Hobbs would possibly keep from issuing addresses in this situation. Mr. Shaw replied that yes, they could, and variances would need to be granted.

Ms. Hardin stated that disclosures need to be made on the deeds, as notations made on the plat won't go to subsequent property owners.

Mr. Johncox asked how to get this issue fasttracked with the county commission. Mr. Shaw suggested taking the issue of the road to the Lea County Road Advisory Committee for their consideration.

Ms. Windsor called for a vote. The motion failed unanimously.

Ms. Windsor will meet with Mr. Reid and Mr. Shaw and write a letter John Norris, chairman of the Road Advisory Committee, regarding the previously discussed road issues. She will forward the letter to the board for approval before sending it to Mr. Norris.

ITEM 08: Discussion of Revision of the Subdivision Regulations for Lea County

Ms. Windsor stated that she would like to table this item, as the Lea County Attorney has not yet reviewed the proposed changes.

ITEM 09: Set/Confirm Next Meeting(s)

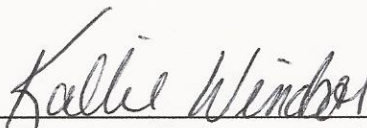
The next meeting was set for September 13, 2016.

ITEM 10: Adjourn

Mrs. Hardin motioned to adjourn. Motion seconded by Mr. Johncox and carried unanimously. Meeting adjourned at 10:38A.M.



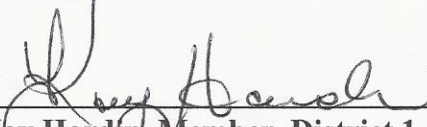
Lea County Planning & Zoning Board



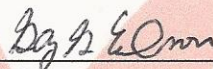
**Kallie Windsor, Chairman, Lovington Extraterritorial
Zoning Board**



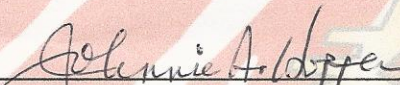
**Guy Kesner, Vice-Chairman, Hobbs Extraterritorial
Zoning Board**



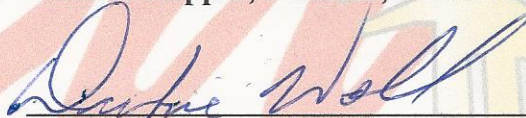
Kay Hardin, Member, District 1



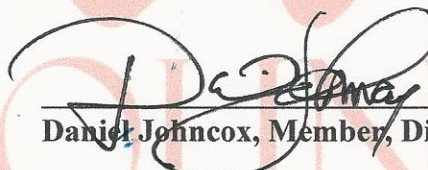
Gary Eidson, Member, District 2



Johnnie Hopper, Member, District 3



Dickie Wall, Member, District 4



Daniel Johncox, Member, District 5