## Minutes of Meeting Lea County Board of Commissioners June 13, 2019

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, 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. 19-JUN-142R Approving the May 23, 2019 Regular Meeting Minutes

Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-142R Approving the May 23, 2019 Regular Meeting Minutes. 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.

### Public Comments

Mara Salcido, Director of Lovington Main Street made comments concerning "Smokin on the Plaza" an event that will be this coming weekend in Lovington.

Nick Maxwell made comments concerning the ELEA, meeting in Carlsbad.

Chair Long recognized Jane Eidson Commissioner Eidson's wife and thanked her for being in attendance.

Commissioner and Manager Comments

Commissioner Jones announced The Loves Truck Stop in Eunice will open today, and the ribbon cutting will be tomorrow.

Commissioner Sena stated we are honored to have Jane Eidson with us today. He thanked Finn Smith for being in attendance too. He stated there was an ELEA meeting yesterday and there was a resolution idea that was in the paper this morning, so that the local entities can respond to it. He stated there are going to be times that we do not agree with an administration, but I will not change my views because we

disagree. He stated I hope that we can continue to have conversations regarding economic diversification, and getting more jobs in Lea County.

Commissioner Eidson stated last week the County Manager and I had the opportunity to travel with Hobbs Schools, representatives from the City of Hobbs and the Maddox Foundation. To visit some CTE Schools back east and in the Dallas area.

Vice Chair Jackson stated I received a call from representative Xochitl Torres Small concerned about the letter we sent to the president. He stated I told her we need to build the wall. It is important that we tell our representatives what we need. That is Government in Action.

Chair Long recognized Finn Smith with the EDC.

Manager Gallagher recognized Hubert Quintana with the Southeast Council of Governments as the Executive Director. He is doing a lot of work for us to help secure funding for our Capital Outlay Funding from the State. We do have a lot of projects going on right now, some of them almost completed.

• Recognition of County Employees – Service Awards:

Chair Long recognized Sheriff Corey Helton, and Under Sheriff Michael Walker for 1 year of service.

Under Sheriff Walker recognized Deputy Scott Wimberly for 1 year of service.

Assistant County Manager of Operation Needham recognized Derek Greebon for 5 years of service, Nick Marinovich and Forrest Hudson for 20 years of service.

• Consideration of Lea County Resolution No. 19-JUN-143R Approving Appointment to the Lea County Community Improvement Corporation

Manager Gallagher requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 19-JUN-143R Approving Appointment to the Lea County Community Improvement Corporation. 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. 19-JUN-144R Approving Appointment of Lea County's Delegate for the Annual Elections at the 2019 National Association of Counties (NACo) Conference Manager Gallagher requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-144R Approving Appointment of Lea County's Delegate for the Annual Elections at the 2019 National Association of Counties (NACo) Conference. 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 02: ACTION ITEMS

• Consideration of Lea County Resolution No. 19-JUN-145R Creating New Precincts and Adjusting Precinct Boundaries (Keith Manes, County Clerk)

Clerk Manes requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-145R Creating New Precincts and Adjusting Precinct Boundaries. 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. 19-JUN-146R Amending LC Resolution No. 17-OCT-223R Approving Precincts and Polling Places for the 2018-2019 Elections (Keith Manes, County Clerk)

Clerk Manes requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-146R Amending LC Resolution No. 17-OCT-223R Approving Precincts and Polling Places for the 2018-2019 Elections. 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. 19-JUN-147R Approving Precincts and Polling Places for the 2020-2021 Elections (Keith Manes, County Clerk)

Clerk Manes requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-147R Approving Precincts and Polling Places for the 2020-2021 Elections. 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. 19-JUN-148R Appointing the Board of Registration Members for Lea County (Keith Manes, County Clerk)

Clerk Manes requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-148R Appointing the Board of Registration Members for Lea County. 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. 19-JUN-149R Approving Award of Lea County Proposal No. 12 2018-2019 for As-Needed Counsel Regarding Construction Law Matters for Lea County. (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-149R Approving Award of Lea County Proposal No. 12 2018-2019 for As-Needed Counsel Regarding Construction Law Matters for Lea County. 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. 19-JUN-150R Approving the Publication of Notice of Hearing to Adopt an Ordinance Governing Nuisances in the Lea County/Hobbs Extraterritorial Area; Enforcement of Ordinance; and Penalties for Violating Ordinance (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-150R Approving the Publication of Notice of Hearing to Adopt an Ordinance Governing Nuisances in the Lea County/Hobbs Extraterritorial Area, Enforcement of Ordinance; and Penalties for Violation Ordinance. 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. 19-JUN-151R Approving the Publication of Notice of Hearing to Adopt an Ordinance Controlling Nighttime Noise in the Lea County/Hobbs Extraterritorial Area; Enforcement of Ordinance; and Penalties for Violating Ordinance (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-151R Approving the Publication of Notice of Hearing to Adopt an Ordinance Controlling Nighttime Noise in the Lea County/Hobbs Extraterritorial Area; Enforcement of Ordinance and Penalties for Violating Ordinance. 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. 19-JUN-152R Approving the Publication of Notice of Hearing to Adapt an Ordinance Governing Dangerous Buildings in the Lea County/Hobbs Extraterritorial Area; Enforcement of Ordinance; and Penalties for Violating Ordinance (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 19-JUN-152R Approving the Publication of Notice of Hearing to Adapt an Ordinance Governing Dangerous Building in the Lea County/Hobbs Extraterritorial Area; Enforcement of Ordinance; and Penalties for Violating Ordinance. 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. 19-JUN-153R Approving the Publication of Notice of Hearing to Adopt an Ordinance for the Establishment of a System of Local Approval, Inspection, and Collection of Fees for Permitting and Regulating the Placement of Manufactured (Mobile) Homes in Lea County; Enforcement of Ordinance; and Penalties for Violating Ordinance (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-153R Approving the Publication of Notice of Hearing to Adopt an Ordinance for the Establishment of a System of Local Approval, Inspection, and Collection of Fees for Permitting and Regulating the Placement of Manufactured (Mobile) Homes in Lea County, Enforcement of Ordinance; and Penalties for Violating Ordinance. 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. 19-JUN-154R Approving the Publication of Notice of Hearing to Adopt an Ordinance Relating to the Movement of Manufactured (Mobile) Homes in Lea County; Providing for a Permit; Enforcement of Ordinance; and Penalties for Violating Ordinance (John W. Caldwell, County Attorney)

Attorney Caldwell requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-154R Approving the Publication of Notice of Hearing to Adopt an Ordinance Relating to the Movement of Manufactured (Mobile) Homes in Lea

County; Providing for a Permit; Enforcement of Ordinance; and Penalties for Violating Ordinance. 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. 19-JUN-155R Approving Task 4
Design and Construction Service Between Lea County and SMPC Architects
Related to Increasing Size of Holdroom Related to the Airport Terminal
Expansion Project (Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments regarding this agenda item. Finn Smith, with the EDC made comments in Approval of this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-155R Approving Task 4 Design and Construction Service Between Lea County and SMPC Architects Related to Increasing Size of Holdroom Related to the Airport Terminal Expansion Project. The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Long, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

 Consideration of Lea County Resolution No. 19-JUN-156R Approving a Change Order 1 Between Lea County and Lasco Construction Related to Increasing Size of Holdroom Related to the Airport Terminal Expansion Project (Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments regarding this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-156R Approving a Change Order 1 Between Lea County and Lasco Construction Related to Increasing Size of Holdroom Related to the Airport Terminal Expansion Project. The motion was seconded by Commissioner Jones. Secretary polled the Commission. Chair Long, yes; Vice Chair Long, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

• Consideration of Lea County Resolution No. 19-JUN-157R Approving Task Order 2019-2 Terminal Apron Reconstruction, Asphalt to PCCP Design Phase Services to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham 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. 19-JUN-157R Approving Task Order 2019 2 Terminal Apron Reconstruction, Asphalt to PCCP Design Phase Services to Molzen-Corbin. 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. 19-JUN-158R Approving Task
 Order 2019-6 Terminal Apron Reconstruction, Asphalt to PCCP Observation and Testing Services to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-158R Approving Task Order 2019-6 Terminal Apron Reconstruction, Asphalt to PCCP Observation and Testing Services to Molzen-Corbin. 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. 19-JUN-159R Approving Task
 Order 2019-4 Lea County Regional Airport RW 21 RSA Bidding and Construction
 Phase Services to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-159R Approving Task Order 2019-4 Lea County Regional Airport RW 21- RSA Bidding and Construction Phase Services to Molzen-Corbin. 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. 19-JUN-160R Approving Task Order 2019-5 Lea County Regional Airport RW 21 RSA Improvements Observation and Testing Services to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-160R Approving Task Order 2019-5 Lea County Regional Airport RW 21 RSA Improvements Observation and Testing Services to Molzen-Corbin. 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. 19-JUN-161R Approving Task Order 2019-3 Lea County Regional Airport RW 3-21 Extension EA to Molzen Corbin (Corey Needham, Assistant County Manager) Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-161R Approving Task Order 2019-3 Lea County Regional Airport RW 3-21 Extension EA to Molzen Corbin. 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. 19-JUN-162R Approving Task Order 2019-1 Disadvantaged Business Enterprise (DBE) Program Maintenance to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-162R Approving Task Order 2019-1 Disadvantaged Business Enterprise (DBE) Program Maintenance to Molzen-Corbin. 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. 19-JUN-163R Approving Task Order 2019-7 Lea County Airport General Engineering Services to Molzen-Corbin (Corey Needham, Assistant County Manager)

Assistant County Manager Needham. Chair Long Asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-163R Approving Task Order 2019-7 Lea County Airport General Engineering Services to Molzen-Corbin. 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. 19-JUN-164R Approving a Cooperative Educational Services (CES) Agreement between Lea County and Master Plumbers LLC for Improvements at the Monument Volunteer Fire Station (Lorenzo Velasquez, Emergency Management Director)

Director Velasquez requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Jones moved to approve Lea County Resolution No. 19-JUN-164R Approving a Cooperative Educational Services (CES) Agreement between Lea County and Master Plumbers LLC for Improvements at the Monument Volunteer Fire Station. 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. 19-JUN-165R Approving Payment to RMKM for Additional Services Fees Regarding the Lea County Judicial Complex Project (Erich Francke, Facilities Director)

Director Francke requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 19-JUN-165R Approving Payment to RMKM for Additional Services, Fees Regarding the Lea County Judicial Complex Project. 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. 19-JUN-166R Approving Right of Way (ROW) Grant to Lea County Electric Cooperative for Power Line Located at the Lea County Fairgrounds (Erich Francke, Facilities Director)

Director Francke requested approval. Chair Long asked if there were any public comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 19-JUN-166R Approving Right of Way (ROW) Grant to Lea County Electric Cooperative for Power Line Located at the Lea County Fairgrounds. 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. 19-JUN-167R Authorizing Lea County's Fiscal Year 2019 4<sup>th</sup> Quarter Payment and Certification for the Safety Net Care Pool Fund (Chip Low, Finance Director)

Director Low requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 19-JUN-167R Authorizing Lea County's Fiscal Year 2019 4<sup>th</sup> Quarter Payment and Certification for the Safety Net Care Pool Fund. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, no; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Jones, yes. The motion passed.

### ITEM 03: Discussion Items

• Discussion of Current Lea County Roadway Projects (Corey Needham, Assistant County Manager)

Assistant County Manager Needham presented a discussion of current Lea County Roadway Projects.

• Discussion of Adopting a Bilingual Policy for Lea County Employees (Craig Bova, Human Resources Director)

Director Bova presented a discussion of Adopting a Bilingual Policy for Lea County Employees.

• Discussion of Lea County's Financial Report (Chip Low, Finance Director)

Director Low presented a discussion of Lea County's Financial Report.

• Discussion of Lea County's Accounts Payable (Chip Low, Finance Director)

Director Low presented a discussion of Lea County's Accounts Payable.

### ITEM 04: EXECUTIVE SESSION

- Board of County Commissioners
  - Pursuant to Section 10-15-1 (H2), (H7), (H8), of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Limited Personnel Matters Namely Evaluation of County Manager, Threatened Litigation with HB Construction related to Construction Contract of Lea County Judicial Complex, and the Sale/Disposal of Real Property in Central Lea County, as Authorized by NMSA 1978 as Authorized by the Open Meetings Act.
- At 10:35 a.m. Vice Chair Jackson 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, Namely Evaluation of County Manager, Threatened Litigation with HB Construction Related to Construction Contract of Lea County Judicial Complex, and the Sale/Disposal of Real Property in Central Lea County, 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 Eidson, yes; Commissioner Sena; yes; Commissioner Jones, yes.

The meeting reconvened at 12:07 p.m.

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

### ITEM 06: OTHER BUSINESS

There was no other business

The meeting was adjourned at 12:07 p.m.

# BOARD OF COUNTY COMMISSIONERS LEA COUNTY, NEW MEXICO

Rebecca Long, Chair

Dean Jackson, Vice Chair

Gary G. Eidson, Member

Jonathan Sena, Member

Richard Don Jones, Member

ATTEST: Keith Manes

Lea County Clerk

Hollye Shearer

