

A photograph of the Lea County Courthouse, a large, multi-story building made of light-colored brick. The building has several tall, narrow windows and a central entrance with a small portico. The text "LEA COUNTY COURTHOUSE" is visible above the entrance. The building is surrounded by trees, including a large tree on the left and a flowering tree in the foreground. The sky is overcast.

Lea County Board of County Commissioners Regular Meeting Thursday, May 6, 2021 9:00 A.M.

Lea County Courthouse ~ Commission Chambers
100 North Main, Lovington, New Mexico

Consideration of Lea County Resolution No. 21-MAY-090R Approving the April 22, 2021 Regular Meeting Minutes

Minutes of Meeting
Lea County Board of Commissioners
April 22, 2021

Chair Long called the meeting to order at 9:03 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, and Jonathan Sena, District 4, and Commissioner Pat Sims, District 5.

Also present were Lea County Manager Michael P. Gallagher II, and Lea County Attorney John W. Caldwell.

Commissioner Sims led the Pledge of Allegiance followed by the Invocation by Commissioner Sena.

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 21-APR-080R Approving the April 8, 2021 Regular Meeting Minutes.

Chair Long requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution. No. 21-APR-080R Approving the April 8, 2021 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 Sims, yes. The motion passed.

- Public Comments

There were no public comments

- Commissioners and Manger Comments

Commissioner Sims made comments in regards to the trash in Lea County.

Commissioner Sena thanked Lorenzo Velasquez and his team for their efforts towards the trash problem in Lea County.

Vice Chair Jackson stated he attended Donuts with Deputies this morning and he would like to encourage people to attend.

- Consideration of Lea County Resolution No. 21-APR-081R Requesting the State of New Mexico to Join a Lawsuit with other Western States Against the Federal Government Regarding a Moratorium on Oil & Gas Leasing. (Chair Rebecca Long, Commissioner – District 2)

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 21-MAY-090R
A RESOLUTION APPROVING THE LEA COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

WHEREAS, Section 10-15-1 through 10-15-4 of the Open Meetings Act (NMSA 1978), states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS the board, commission or other policy making body shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted; and

WHEREAS all minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the policymaking body; and

WHEREAS, NMSA 1978, Section 4-38-12 as amended, allows the County Commission to establish rules and regulations to govern the transaction of county business in these meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lea County that the attached minutes are hereby approved.

PASSED AND APPROVED on this 6th day of May, 2021, by the Lea County Board of County Commissioners in an open meeting in Lovington, New Mexico.

LEA COUNTY BOARD OF COUNTY COMMISSIONERS

Rebecca Long (District 2), Chair
Voted: Yes No Abstain

Gary G. Eidson (District 3), Member
Voted: Yes No Abstain

Dean Jackson (District 1), Vice Chair
Voted: Yes No Abstain

Jonathan Sena (District 4), Member
Voted: Yes No Abstain

Resolution No. 21-MAY-090R
LCBCC Regular Meeting 05-06-2021
Page 1 of 2

MINUTES
OF
MEETING



Commissioners and Manager Comments



Consideration of Lea County Resolution No. 21-MAY-091R Awarding Request for Proposal No. 04 2020 – 2021 for County – Wide Care and Maintenance of Sick and Indigent for Fiscal Year 2021 - 2022



Request Approval for Community Development & Indigent Health Funding – FY22

Community Development	
WHI Hobbs	\$25,000
The Phoenix House	\$55,000
Salvation Army	\$25,000
Option, Inc.	\$75,000
Legacy Pregnancy Center	\$25,000
CASA of Lea County	\$50,000
Total Community Development	\$255,000

Indigent Health	
Faith in Action	\$12,000
My Power	\$50,000
Child Advocacy Center of Lea County	\$60,000
Palmer Drug Abuse Program	\$75,000
Guidance Center of Lea County	\$24,000
Community Drug Coalition	\$50,000
Opportunity House	\$48,000
Total Indigent Health	\$319,000

Consideration of Lea County Resolution No. 21-MAY-092R Awarding Request for Proposal No. 05 2020
– 2021 for County - Wide Economic Development Services for Fiscal Year 2021 - 2022



Approval of Economic Development Funding – FY 22

Economic Development	
EDC of Lea County	\$393,000
Lovington Main Street	\$100,000
Lovington EDC	\$65,000
Total	\$558,000

Consideration of Lea County Resolution No. 21-MAY-093R Approving Government Agency Funding to New Mexico State University (NMSU) Extension Office; Lea Soil & Water Conservation District; and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (USDA APHIS-WS) for Fiscal Year 2021 - 2022

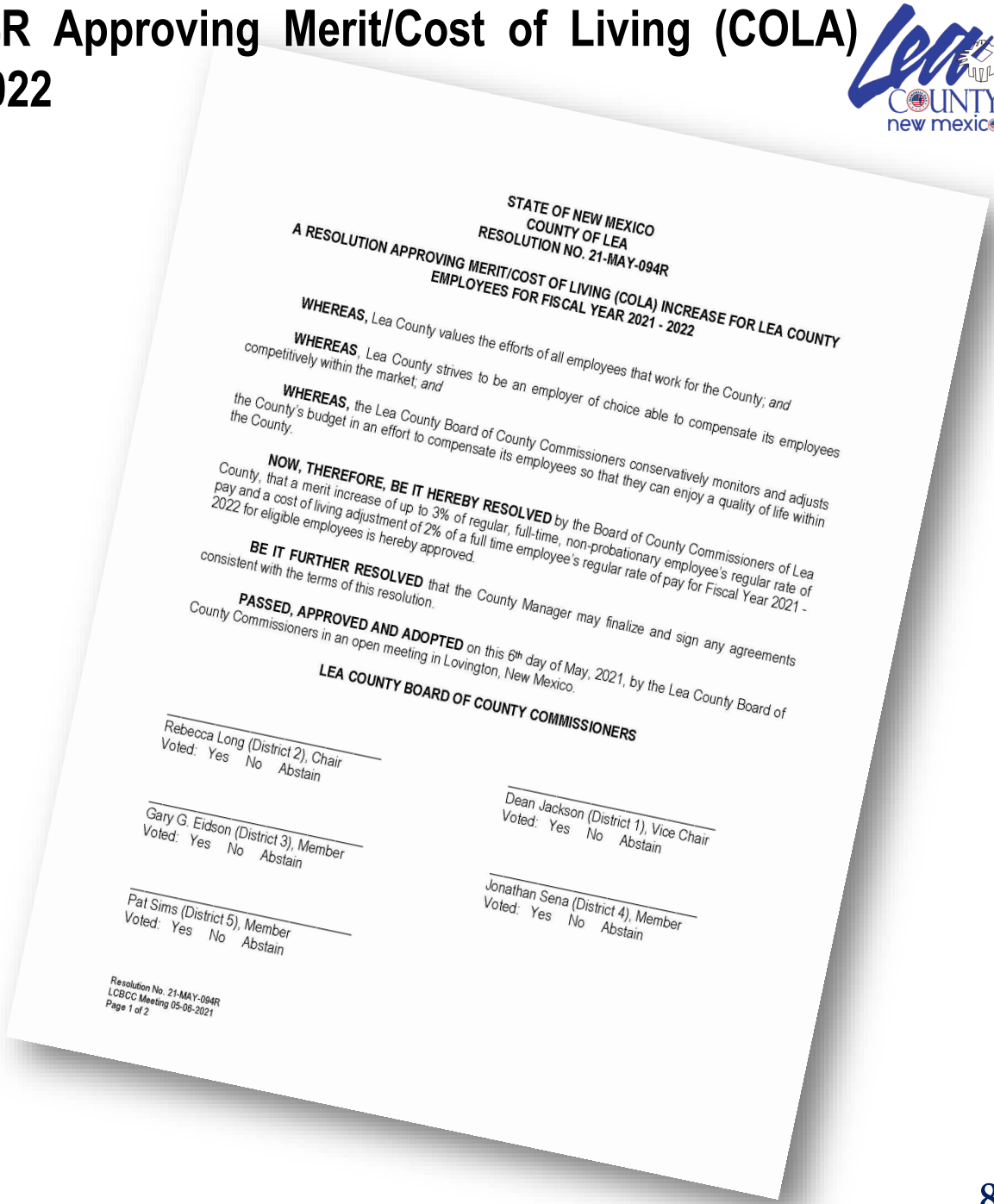
Approval of Government Agency Funding – FY22

Government Agency Funding	
County Extension (NMSU)	\$108,242
Lea Soil & Water Conservation	\$65,000
USDA (Animal & Plant Health Inspections)	\$56,160
Total	\$229,402

Consideration of Lea County Resolution No. 21-MAY-094R Approving Merit/Cost of Living (COLA) Increase for Lea County Employees for Fiscal Year 2021 - 2022

Propose for FY 2021 - 2022:

- Merit increase of up to 3% of regular, full-time, non-probationary employee's regular rate of pay
- Cost of living adjustment of 2% of a full time employee's regular rate of pay



Consideration of Proclamation Recognizing May 2 – 8, 2021 as National Correctional Officers Week

National Correctional Officers' Week was first proclaimed on May 5, 1984 by President Ronald Reagan to recognize the contributions of correctional officers to our nation.

The operation of correctional facilities represents a crucial component of the criminal justice system within the County of Lea.

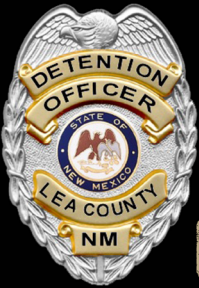
Corrections professionals are most deserving of our respect, appreciation and highest praise.

Corrections professionals play a vital role in protecting the rights of citizens to be safeguarded from criminal activity.


Corrections professionals are responsible for the custody, welfare, and dignity of the people charged to their care.

Corrections professionals are well-trained, watchful, and prepared to meet any challenge.

Lea County hereby recognizes May 2 - 8, 2021 as National Correctional Officers' Week.




THANK YOU LCDC OFFICERS!



National Correctional Officers' Week
May 2 - 8, 2021

Lea County values your dedication and service to safeguarding our community!



100 N. Main | Lovington, NM
www.leacounty.net



STATE OF NEW MEXICO COUNTY OF LEA Proclamation

WHEREAS, National Correctional Officers' Week was first proclaimed on May 5, 1984 by President Ronald Reagan to recognize the contributions of correctional officers to our nation; and

WHEREAS, the operation of correctional facilities represents a crucial component of the criminal justice system within the County of Lea; and

WHEREAS, corrections professionals are most deserving of our respect, appreciation and highest praise; and

WHEREAS, corrections professionals play a vital role in protecting the rights of citizens to be safeguarded from criminal activity; and

WHEREAS, corrections professionals are responsible for the custody, welfare, and dignity of the people charged to their care; and


WHEREAS, corrections professionals are well-trained, watchful, and prepared to meet any challenge; and

NOW, THEREFORE, BE IT PROCLAIMED that the Board of County Commissioners of Lea County hereby recognizes May 2 - 8, 2021 as National Correctional Officers' Week in Lea County, and call observance to the attention of all of our citizens.

IN WITNESS, WHEREOF, we have hereunto set our hands this 6th day of May, 2021, and cause the seal of the County of Lea to be affixed hereto.


LEA COUNTY BOARD OF COUNTY COMMISSIONERS

Rebecca Long, Chair
Gary G. Eldson, Member
Dean Jackson, Vice Chair



National Correctional Officers' Week

THANK YOU CORRECTIONAL OFFICERS!



LEA COUNTY
DETENTION CENTER



Lea County values your dedication and
service to safeguarding our community!



Consideration of Lea County Resolution No. 21-MAY-095R Approving the Purchase of an Etnyre Chip Spreader from Cooper Equipment Using Buyboard Cooperative Purchasing



The Lea County Road Department utilizes chip seal surface treatment both to pave new roadways and as preventative maintenance on existing paved roadways throughout the county.

Road Department personnel typically chip seal between 80 and 120 miles annually. This process utilizes tandem axle dump trucks, oil distributors, chip (aggregate) spreaders, and rollers to complete. Lea County is in need of a replacement primary chip spreader. Staff has utilized and prefers Etnyre spreaders for their ease of use, versatility, and build quality.

Lea County can purchase the desired Etnyre spreader utilizing BuyBoard cooperative purchasing from Cooper Equipment in San Antonio, TX.

FY 20/21 - Budgeted amount - \$440,000
BestBuy purchase cost - \$314,210



Consideration of Lea County Resolution No. 21-MAY-096R Approving the Lea County Indigent Claims Burial/Cremation Report



BURIAL INDIGENT CLAIMS							
	Date Deceased	Date of Birth	Funeral Home	Amount Requested	Type of Burial	Recommendation for Approval	Comments
Claim #1	03/20/2021	07/28/1963	Director's Choice Mortuary	\$600.00	Cremation Fee	\$600.00	Deceased owned no property.

Review and Discussion

FY21 Lea County 3rd Quarter DFA Cash Report

Chip Low – Finance Director

Discussion of Lea County's Quarterly Cash Report



State of New Mexico Local Government Budget Management System (LGBMS)

Report Recap - Fiscal Year 2020-2021 - Lea County - FY2021 Q3

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Fund	Cash	Investments	Revenues	Transfers	Expenditures	Adjustments	Balance	Reserves	Adjusted Balance
11000 General Operating Fund	80,455,004.00	22,043,125.10	65,624,515.85	-14,201,466.52	19,517,112.57	1,000,000.26	135,404,066.12	4,879,278.14	130,524,787.98
20100 Corrections	797,711.00	0.00	0.00	-797,710.91	0.00	0.00	0.09	0.00	0.09
20200 Environmental	7,815,925.00	0.00	0.00	-7,815,924.10	0.00	0.00	0.90	0.00	0.90
20300 County Property Valuation	1,164,062.00	0.00	435,096.22	0.00	131,654.68	0.00	1,467,503.54	0.00	1,467,503.54
20400 County Road	1,346,176.00	0.00	1,303,901.03	6,000,000.00	6,278,803.62	0.00	2,371,273.41	523,233.64	1,848,039.77
20600 Emergency Medical Services	30,271.00	0.00	5,006.00	0.00	2,300.00	0.00	32,977.00	0.00	32,977.00
20800 Farm & Range	51,839.00	0.00	0.00	0.00	46,295.18	0.00	5,543.82	0.00	5,543.82
20900 Fire Protection	585,389.00	0.00	283,494.60	120,000.00	342,566.93	0.00	646,316.67	0.00	646,316.67
21100 Law Enforcement Protection	1,450.00	0.00	61,400.00	0.00	39,622.48	0.00	23,227.52	0.00	23,227.52
21700 Recreation	21,438.00	0.00	0.00	0.00	12,702.50	0.00	8,735.50	0.00	8,735.50
21800 Intergovernmental Grants	458,957.00	0.00	1,615,672.10	0.00	1,589,837.00	0.00	484,792.10	0.00	484,792.10
22000 Indigent Fund	105,250.00	0.00	4,503,825.88	3,550,448.00	7,622,598.02	0.00	536,925.86	0.00	536,925.86
22200 County Fire Gross Receipts Tax	75,283.00	0.00	0.00	0.00	0.00	0.00	75,283.00	0.00	75,283.00
22300 DWI Fund	371,875.00	0.00	786,290.34	0.00	743,298.64	0.00	414,866.70	0.00	414,866.70
22500 Clerks Recording & Filing Fund	121,209.00	0.00	75,261.00	0.00	10,481.76	0.00	185,988.24	0.00	185,988.24
22600 Jail - Detention	504,804.00	0.00	1,029,427.14	7,700,000.00	6,442,480.17	0.00	2,791,750.97	0.00	2,791,750.97
29900 Other Special Revenue	44,870.00	100,145.00	39,773.19	0.00	23,016.96	0.00	161,771.23	0.00	161,771.23
39900 Other Capital Projects	914,944.00	0.00	0.00	5,500,000.00	5,005,968.41	0.00	1,408,975.59	0.00	1,408,975.59
40200 GRT Revenue Bond Debt Service	4,955,347.00	0.00	0.00	-4,955,346.47	0.00	0.00	0.53	0.00	0.53

Discussion of Lea County's Quarterly Cash Report



50100 Water Enterprise	342,496.00	0.00	0.00	0.00	1,304.78	0.00	341,191.22	0.00	341,191.22
50400 Airport Enterprise	936,848.00	0.00	1,792,281.52	2,650,000.00	3,489,667.30	0.00	1,889,462.22	0.00	1,889,462.22
51300 Convention/Events Center	97,431.00	0.00	5,811.50	550,000.00	459,881.10	0.00	193,361.40	0.00	193,361.40
51500 Fairgrounds	691,948.00	0.00	92,457.57	1,700,000.00	1,605,125.99	0.00	879,279.58	0.00	879,279.58
79900 Other Trust & Agency	13,047,168.00	1,400,000.00	5,682,919.67	0.00	4,525,999.22	0.00	15,604,088.45	0.00	15,604,088.45
Totals	114,937,695.00	23,543,270.10	83,337,133.61	0.00	57,890,717.31	1,000,000.26	164,927,381.66	5,402,511.78	159,524,869.88

Discussion of the FY 22 Preliminary Budget

May 6, 2021

Mike Gallagher – County Manager
Chip Low – Finance Director



FY 22 Budget Timeline

Date	Action Taken
January 14, 2021	Budget Development and Timeline Approval (LCBCC)
February 4, 2021	Outside Entities and Services RFP Discussion (LCBCC) Discussion of FY 22 Projected Revenues (LCBCC)
February 8, 2021	Release of Outside Entities and Services RFP
February 8 - 12, 2021	Departmental Budget Discussions – County Staff
February 18, 2021	Discussion of FY 22 Projected Expenses (LCBCC)
March 4, 2021	Departmental Budget Presentations (LCBCC)
March 5, 2021	Responses for Outside Entities Proposals Due
March 18, 2021	Departmental Budget Presentations cont'd (LCBCC)
April 8, 2021	Personnel Proposals (LCBCC)
April 22, 2021	Capital & Outside Agency Proposals (LCBCC)
May 6, 2021	Present Preliminary Budget for Discussion (LCBCC)
May 20, 2021	Present Preliminary Budget for Final Action (LCBCC)
May 31, 2021	Preliminary Budget Due to New Mexico DFA for Approval
July 22, 2021	Present Final Budget For Discussion (LCBCC)
July 31, 2021	Final Budget Due to New Mexico DFA for Approval

FY 22 Preliminary Budget – General Assumptions

Oil Production – 14.1 million barrels monthly

Oil Price - \$36.78 average sales price per barrel

Additional revenue discount assumed due to unknown risks from geopolitical & economic factors

7 new positions

27 frozen positions

2% COLA, 3% merit increase assumed

5% increase in insurance costs

Implementation of Longevity pay plan

Increase local reserves to include reserve for operational transfers

American Rescue Plan Act of 2021 funding not budgeted at this time. Waiting on federal guidance in order to assess the proper use of the funding.



Discussion of FY 22 Preliminary Budget – Projected Changes in Fund Balances

Fund	Beginning Cash	Revenues	Salaries	Operations	Total	Capital	Transfers	Ending Cash
General Fund	133,712,949	53,448,706	20,627,328	15,247,997	35,875,325	-	(74,900,000)	76,386,330
Road	1,871,488	1,931,070	2,430,071	4,149,025	6,579,096	9,556,657	14,000,000	1,666,804
Detention	124,656	2,933,712	7,965,041	1,865,882	9,830,923	7,362,000	14,500,000	365,445
Capital Projects	780,503	3,163,000	-	-	-	37,065,285	35,500,000	2,378,218
Other SPR Funds	6,001,763	17,480,768	2,825,369	14,624,442	17,449,811	12,421,601	10,900,000	4,511,119
Trust & Agency	16,485,372	7,727,635	2,663,141	4,210,476	6,873,617	220,000	-	17,119,390
Total All Funds	158,976,731	86,684,891	36,510,950	40,097,822	76,608,772	66,625,543	-	102,427,307



Discussion of FY 22 Preliminary Budget – Payroll Budget

	FTE	Salary	FICA/Medicare	PERA	Group Health	Retiree Ins	Total
General Fund	181.85	13,519,555	1,008,309	2,589,101	3,148,293	362,070	20,627,328
Road	43.50	1,546,726	118,301	215,721	508,675	40,648	2,430,071
Detention	89.00	5,389,059	412,185	628,401	1,416,986	118,409	7,965,041
Other SPR Funds	34.05	1,978,334	137,988	205,809	464,458	38,781	2,825,369
Trust & Agency	30.60	1,792,188	137,102	214,269	479,207	40,375	2,663,141
Totals	379.00	24,225,863	1,813,885	3,853,301	6,017,618	600,283	36,510,950



Discussion of FY 22 Preliminary Budget – Payroll Budget

New Positions – 7

Position Name	Grade	FTE	Hourly Base Wage	Incumbent Name
Technician	401-26 Environmental Services	1	\$15.00	New
Technician	401-26 Environmental Services	1	\$15.00	New
Compliance Coordinator	436-65 LDWI Grant	1	\$20.00	New
Counselor	401-56 DWI Program	1	\$28.00	New
Custodian	401-03 Facilities Management	1	\$15.00	New
Custodian	401-03 Facilities Management	1	\$15.00	New
IT Technician	401-02 Information Technology	1	\$20.55	New
		7		

Environmental Services – 2 positions
DWI/Misdemeanor Compliance – 2 positions
Facilities Management – 2 positions
Information Technology – 2 positions



Discussion of FY 22 Preliminary Budget – Payroll Budget

Frozen positions – 27

County Assessor – 1
County Sheriff – 2
Finance – 2
Planning – 1
Road – 11
Detention Center – 6
Fairgrounds - 2
Event Center - 2

Position Name	Grade	FTE	Hourly Base Wage Incumbent Name
Administrative Coordinator	401-75 Finance Department	1	\$16.24 Frozen
Detention Officer	418-23 Detention Center	1	\$16.28 Frozen
Business Manager	418-23 Detention Center	1	\$31.31 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Staff Engineer	401-76 Planning Department	0.5	\$50.00 Frozen
Staff Engineer	402-10 Road Department	0.5	\$50.00 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Detention Officer	418-23 Detention Center	1	\$16.28 Frozen
Administrative Coordinator	463-31 Event Center	1	\$16.24 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Detention Officer	418-23 Detention Center	1	\$16.28 Frozen
Detention Officer	418-23 Detention Center	1	\$16.28 Frozen
Equipment Operator	402-10 Road Department	1	\$15.00 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Deputy	401-08 County Sheriff	1	\$27.77 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Equipment Operator	402-10 Road Department	1	\$15.00 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Maintenance Tech	460-32 Fairgrounds	0.86	\$17.19 Frozen
Maintenance Tech	461-33 Fair & Rodeo	0.12	\$17.19 Frozen
Maintenance Tech	462-34 Hispanic Heritage Night	0.02	\$17.19 Frozen
Operations Technician	463-31 Event Center	1	\$15.00 Frozen
Detention Officer	418-23 Detention Center	1	\$16.28 Frozen
Field Appraiser	401-06 County Assessor	0.7	\$24.04 Frozen
Field Appraiser	499-46 Assessor's Valuation	0.3	\$24.04 Frozen
Assistant Finance Director	401-75 Finance Department	1	\$48.08 Frozen
Maintenance Lead	460-32 Fairgrounds	0.86	\$22.30 Frozen
Maintenance Lead	461-33 Fair & Rodeo	0.12	\$22.30 Frozen
Maintenance Lead	462-34 Hispanic Heritage Night	0.02	\$22.30 Frozen
Deputy	401-08 County Sheriff	1	\$27.77 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Senior Equipment Operator	402-10 Road Department	1	\$17.08 Frozen
Crew Supervisor	402-10 Road Department	1	\$31.18 Frozen
		27	



FUNDS AVAILABLE FOR CURRENT YEAR OPERATIONS
FY22 Budget (Projected)

General Fund Revenues (Projected)	\$ 53,448,706.00
Add: Transfers From Debt Service	<u>\$ -</u>
	\$ 53,448,706.00
Less: General Fund Budget	<u>\$ (35,875,324.80)</u>
Funds Available for Current Year Operations	<u>\$ 17,573,381.20</u>
Less: Transfers to SRF for Operations	
Road	\$ (5,553,192.44)
Farm and Range Fund	\$ (101,160.00)
Community Centers	\$ (76,670.00)
Airport Fire Department	\$ (356,909.56)
Detention Center	\$ (7,897,210.98)
DWI Screening	\$ (41,520.00)
Misdemeanor Compliance	\$ (78,515.00)
Lea Regional Airport	\$ -
Zip Franklin Airport	\$ (112,720.25)
Jal Airport	\$ (81,845.25)
Fairgrounds	\$ (651,853.00)
Fair and Rodeo	\$ (690,426.00)
Hispanic Heritage Night	\$ (88,643.00)
Event Center	<u>\$ (798,447.00)</u>
Total Transfers	<u>\$ (16,529,112.47)</u>
Net Cash Available for Operations	<u><u>\$ 1,044,268.73</u></u>



RECONCILIATION OF REQUIRED AND COUNTY OPTION RESERVES
FY22 Budget (Projected)

General Fund Cash Balance (From Operations)	76,386,330
Less: Required State Reserve	(8,968,831)
Less: One Year Operational Budget Reserve	(35,875,325)
Less: One Year Operational Transfers Reserve	(16,529,112)
Less: SB 268 Required Transfer	(3,000,000)
Less: Road Department Required Reserve	(1,344,657)
Less: Capital Reserve	<u>(9,993,831)</u>
Total Reserve Requirements	<u>(75,711,757)</u>
Total Funds Available After Reserves	<u><u>674,573</u></u>
Capital Reserve Available for Allocation	
Maximum Required 15% Capital Reserve	1,303,543
Maximum Available for Capital Projects	<u>8,690,288</u>
Total Capital Reserve	<u><u>9,993,831</u></u>

COMMISSION MAY CONVENE IN CLOSED SESSION to Discuss Pending Litigation HB Construction v. Lea County et al., D-202-CV-2019-03467 Involving Construction in North Central Lea County, as Authorized by NMSA 1978 § 10-15-1 H (7).

COMMISSION MAY CONVENE IN OPEN SESSION to take Action, if any, on the Closed Session Item(s).





Adjourn

A wooden gavel is positioned behind the word "Adjourn". The gavel has a light-colored wooden head with a circular base and a darker wooden handle. It is slightly out of focus, serving as a background element for the text.

Join Us at Our Next Meeting
on
Thursday, May 20, 2021 at 9:00 A.M.