

STATE OF NEW MEXICO  
COUNTY OF LEA  
RESOLUTION NO. 21-SEP-183R

**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*

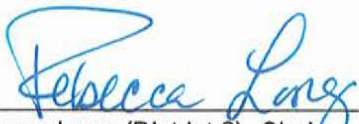
**WHEREAS** all minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the policymaking body; *and*

**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 2<sup>nd</sup> day of September, 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



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



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



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

  
Pat Sims (District 5), Member  
Voted: Yes ☒ No ☐ Abstain ☐

**ATTEST:** Keith Manes  
Lea County Clerk

By:   
Teri Davis, Deputy Clerk



**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:**

  
John W. Caldwell, County Attorney

**Minutes of Meeting  
Lea County Board of Commissioners  
August 19, 2021**

Vice Chair Jackson called the meeting to order at 9:01 a.m. in the Lea County Courthouse

Commissioners present were, to wit: Vice Chair Dean Jackson, District 1, Chair Rebecca Long (via Phone), District 2, Commissioner Gary G. Eidson, District 3, 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 Eidson led the Pledge of Allegiance followed by the Invocation by Commissioner Sena.

**ITEM 01: COMMISSION**

- Consideration of Lea County Resolution No. 21-AUG-165R Approving the July 22, 2021 Regular Meeting Minutes.

Vice Chair Jackson requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-165R Approving the July 22, 2021 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 Sims, yes. The motion passed.

- Public Comments

No Public Comments

- Commissioners and Manager Comments

Commissioner Sims stated that he had met with a couple of businesses the past couple of weeks that are interested in coming to this area.

Commissioner Eidson reminded everyone that school had started and to be aware of school zones and to pray that we get through the year without having to close school back down.

Commissioner Sena welcomed and expressed appreciation for Superintendent Strickland and Superintendent Gandy. He stated that he attended Eagle Night and mentioned how excited everyone was for the coming year. He stated it was going to be a great year with some good things happening.

Commissioner Jackson thanked everyone that was involved in the Fair and Rodeo.

Chair Long apologized for not being able to be present but was happy to be able to appear by phone.

- Consideration of Lea County Resolution No. 21-AUG-166R Amending Lea County Resolution No. 20-OCT-209R Approving the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2021

Manager Gallagher requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-166R Amending the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2021. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-167R Supporting Minimizing Changes to New Mexico's Congressional Districts.

Chair Long requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-167R Supporting Minimizing Changes to New Mexico's Congressional Districts. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-168R Supporting the Lea County Municipal School District boards of Education Local Control and Authority to Make Decisions in the Best Interest of Students, Staff and Parents.

Vice Chair Jackson requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item and expressed that he would love to hear from the Public in attendance. Commissioner Sims stated he would like to hear from Commissioner Eidson as a member of the School Board.

Comments were as follows:

Commissioner Eidson recognized and expressed support for all School Superintendents

Superintendent Strickland and Superintendent Gandy both commented in support and appreciation of the County Commission



Commissioner Jackson applauded the School Boards and Superintendents for their work and asked if there were any more comments from the Commission.

Commissioner Sims, Commissioner Eidsen, and Commissioner Sena all commented in support of the Resolution.

Commissioner Eidson moved to approve Lea County Resolution No. 21-AUG-168R Supporting the Lea County Municipal School District Boards of Education Local Control and Authority to Make Decisions in the Best Interest of Students Staff and Parents. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Sena, yes; Commissioner Eidsen, yes; Commissioner Sims, yes. The motion passed.

## **ITEM 02: ACTION ITEMS**

- Consideration of Lea County Resolution No. 21-Aug-169R Approving Grant No. G20SN0017A Modification No. 2 Between Lea county and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA Creation of New Precincts and Adjusting Precinct Boundaries. *(Sean Roach, Lea County Drug Task Force Commander)*

Commander Roach requested approval. Vice Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item.

Comments were as follows:

Commissioner Sena thanked Commander Roach for his leadership.

Commissioner Sims inquired about drug arrests.

Commander Roach responded that although man power was limited they were doing well in this area and with arrests.

Commissioner Sena moved to approve Lea County Resolution No. 21-AUG-169R Approving Grant No. G20SN0017A Modification No. 2 between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA Creation of New Precincts and Adjusting Precinct Boundaries. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Sena, yes; Commissioner Eidson, yes; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-170R Approving Two Vehicle Purchases for the Lea County Drug Task Force (*Sean Roach, Lea county Drug Task Force Commander*)

Commander Roach requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-170R Approving Two Vehicle Purchases for the Lea County Drug Task Force. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-Aug- 171R Approving 2<sup>nd</sup> Option to Renew Agreement between Lea County and Wells Fargo Bank, N.A. for Banking and P-Card Services. (*Susan Marinovich, County Treasurer*)

Treasurer Marinovich requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-171R Approving the 2<sup>nd</sup> Option to Renew Agreement between Lea County and Wells Fargo Bank, N.A. for Banking and P-Card Services. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-172R Approving the Authorization of an Agreement with the United States Department of Treasury to Accept Funding of 6.9 Million from the 2021 American Rescue Plan Act. (*Michael Gallagher, County Manager*)

Manager Gallagher requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-172R Approving the Authorization of an Agreement with the United States Department of Treasury to Accept Funding of 6.9 Million from the 2021 American Rescue Plan Act. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-173R Ratifying Selection of Insurance Coverages and Premiums. (*John W. Caldwell, County Attorney*)

Attorney Caldwell requested approval. Vice Chair Jackson asked if there were any public or commissioner comments concerning this agenda item.

The following offered comments:

Commissioner Eidsen gave his thoughts on this being an effect of HB4 (House Bill 4).

Vice Chair Jackson expressed his hopes that future elections will provide relief concerning this matter.

Chair Long added that an article will be published in the Washington Post concerning this matter.

Commissioner Sims had questions about how long this increase was going to last.

Guy Kesner answered all questions about premium increase and insurance selection.

Commissioner Sena offered his appreciation to Guy Kesner for his work concerning this Resolution and spoke about supporting and caring for everyone in our communities including our law enforcement during this difficult time for us all.

Manager Gallagher discussed the negative affects the increase will have on County business and personnel.

Sheriff Helton added positive input about Lea County including that our Sheriffs office is fully staffed.

Chair Long moved to approve Lea County Resolution No. 21-AUG-173R Ratifying Selection of Insurance Coverages and Premiums. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-Aug-174R Approving the Small Community Air Service Development Program (SCASDP) Grant Agreement Between Lea County and the United States Department of Transportation (USDOT). (*Corey Needham Assistant County Manager*)

Assistant Manager Needham requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-174R Approving the Small Community Air Service Development Program (SCASDP) Grant Agreement Between Lea County and the United States Department of Transportation (USDOT). The motion was seconded by Chair Long. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes. The motion passed.



- Consideration of Lea County Resolution No. 21-AUG-175R Approving a Cooperative Education Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Roadway 1.0 Miles. (*Corey Needham, Assistant County Manager*)

Assistant Manager Needham requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item.

Comments as follows:

Commissioner Jackson commented as to the length of the road. Assistant Manager Needham responded with an answer to Commissioner Jackson's question.

Commissioner Sims moved to approve Lea County Resolution. Lea County Resolution No. 21-AUG-175R Approving a Cooperative Education Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Roadway 1.0 Miles. The motion was seconded by Chair Long. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-176R Approving a Recommendation from a Freeholders Committee Not to Discontinue or Vacate a Dedicated Alley in Air Base City Subdivision, Block 2 in Section 1, Township 18 south, range 37 East, N.M.P.M. in Lea County, New Mexico. (*Corey Needham, Assistant County Manager*)

Chair Long requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-176R Approving a Recommendation from a Freeholders Committee Not to Discontinue or Vacate a Dedicated Alley in Air Base City Subdivision, Block 2 in Section 1, Township 18 south, range 37 East, N.M.P.M. in Lea County, New Mexico. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-177R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Street Between Block 5 and Block 6 in the Chula Vista Subdivision, North of Ponderosa Street and West of Grimes Street in Section 4, Township 18 South, Range 38 East N.M.P.M. in Lea County, New Mexico. (*Corey Needham, Assistant County Manager*)



Assistant Manager Needham requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-177R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Street Between Block 5 and Block 6 in the Chula Vista Subdivision, North of Ponderosa Street and West of Grimes Street in Section 4, Township 18 South, Range 38 East N.M.P.M. in Lea County, New Mexico. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-178R Awarding Bid. No. 01 2021 – 2022 for Purchase of 30,000 Gallon Water Tank for Maljamar Fire District and Mescalero Water System. (*Lorenzo Velasquez, Emergency Manager*)

Emergency Manager Velasquez requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-178R Awarding Bid. No. 01 2021 – 2022 for Purchase of 30,000 Gallon Water Tank for Maljamar Fire District and Mescalero Water System. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-179R Authorizing Out of State Travel September 13 – 17, 2021 to San Diego, California to Attend the Western Detention – Detention Equipment Training Program. (*Ruben Quintana, Warden*)

Warden Quintana requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-179R Authorizing Out of State Travel September 13 – 17, 2021 to San Diego, California to Attend the Western Detention – Detention Equipment Training Program. 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.

- Consideration of Lea County Resolution No. 21-AUG-180R Approving the Lea County Technology Policy. (*Robert Lathrop, Information Technology Director*)

IT Director Lathrop requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims

moved to approve Lea County Resolution. No. 21-AUG-180R Approving the Lea County Technology Policy. 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 Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-AUG-181R Approving the Lea County Indigent Claims Burial/Cremation Report. (*Chip Low, Finance Director*)

Finance Officer Low requested approval. Vice Chair Jackson asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-AUG-181R Approving the Lea County Indigent Claims Burial/Cremation Report. 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 Sims, yes. The motion passed.

Commission took a short recess at 10:12 a.m.  
Returned at 10:21 a.m.

#### ITEM 03: DISCUSSION ITEMS

- Discussion of the Lea County Detention Center Restricted Housing April – June 2021 Quarterly Report. (*Ruben Quintana, Warden, Detention Center*)
- Discussion of Lea County Communication Authority and the City of Eunice. (*Angela Martinez, Communication Authority Director*)
- Discussion of Lovington Convenience Center. (*Lorenzo Velasquez, Environmental Services Director*)
- Discussion of Increasing the Number of Fire Hydrants in Lea County Outside of Municipalities. (*Lorenzo Velasquez, Emergency Manager; Corey Needham, Assistant County Manager*) **(POSTPONED)**
- Discussion of the Lea County Procurement Policy. (*Chip Low, Finance Director*)
- Discussion of Lea County's Infrastructure Capital Improvements Plan (ICIP) for FY 2023 – 2027. (*Michael Gallagher, County Manager*)



- Discussion of Lea County's Financial Report for July 2021. (*Chip Low, Finance Director*)
- Discussion of Lea County's Accounts Payable for July 2021. (*Chip Low, Finance Director*)

**ITEM 04: EXECUTIVE SESSION**

• **Board of County Commissioners**

- Pursuant to Section 10-15-1 H (7) and (8) Respectively of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Pending Litigation Involving County Records, Pending Litigation Involving a Construction Contract in Central Lea County, and Threatened Litigation Involving Administrative Rules; and The Disposal of Real Property in Central Lea County, as Authorized by NMSA 1978 § 10-15-1 H (7) and (8) Respectively.

• At 10:55 a.m. Commissioner Eidson moved to convene in Executive Session pursuant to **Section 10-15-1 H (7) and (8) Respectively, of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Pending Litigation Involving County Records, Pending Litigation Involving a Construction Contract in Central Lea county, and Threatened Litigation Involving Administrative Rules: and The Disposal of Real Property in Central Lea County, as Authorized by NMSA 1978 § 10-15-1 H (7) and (8) Respectively.**

The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes. The motion passed.

The meeting reconvened at 12:22 p.m.

**ITEM 05: OTHER BUSINESS**

There was no other business.

The meeting was adjourned at 12:22 p.m.



BOARD OF COUNTY COMMISSIONERS  
LEA COUNTY, NEW MEXICO



Rebecca Long, Chair



Dean Jackson, Vice Chair



Gary G. Eidson, Member



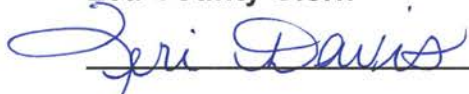
Jonathan Sena, Member



Pat Sims, Member

ATTEST: Keith Manes

Lea County Clerk



Teri Davis, Deputy Clerk

