Consideration of Lea County Resolution No. 21-OCT-222R Approving the September 30, 2021 Regular Meeting Minutes

Minutes of Meeting
Lea County Board of Commissioners
September 30, 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 Commissioner Pat Sims, District 5.

Commissioners not present were, to wit: Commissioner Jonathan Sena, District 4

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 Eidson.

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 21-SEP-194R Approving the following Meeting Minutes:
  - September 2, 2021 Special Meeting
  - September 2, 2021 Regular Meeting
  - September 9, 2021 Special Meeting

Chair Long requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Jackson moved to approve Lea County Resolution. No. 21-SEP-194R Approving the September 2, 2021 Special Meeting Minutes, the motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

Chair Long requested approval and asked if there were any public comments concerning the September 2, 2021 Regular Meeting Minutes. Commissioner Eidson moved to approve Lea County Resolution. No. 21-SEP-194R approving the September 2, 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, absent; Commissioner Sims, yes. The motion passed.

Chair Long requested approval and asked if there were any public or Commissioner comments concerning September 9, 2021 Special Meeting Minutes. Commissioner Sims moved to approve Lea County Resolution. No. 21 SEP-194R approving the September 9, 2021 Special Meeting Minutes. The motion was seconded by Commissioner Eidson. Secretary polled the

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 21-OCT-222R

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 21st day of October, 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

LEA COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY FORM

LCBCC Meeting Date: Thursday, October 21, 2021

Submit this summary form & all attachments to the Finance Director clow@leacounty.net & cc the Executive Coordinator sstout@leacounty.net by: Thursday, October 7, 2021

County Manager Approval mgallagher@leacounty.net required for all time sensitive issues that do not meet the above deadline.

DATE SUBMITTED mm-dd-yyyy:	**SUBMITTED BY** Name, Title, Dept:
10/05/2021	Teri Davis, Recording Secretary/Deputy Clerk, Clerk's Office
SUBJECT: Minutes	**ATTACHMENT(S):** Resolution Draft Minutes
NO. OF ORIGINALS FOR SIGNATURE: 1 Resolution; 1 Sets of Minutes	**ACTION REQUESTED:** Action Item
BUDGET LINE ITEM NUMBER: N/A	**FISCAL BUDGET YEAR:** N/A

STRATEGIC PLAN Implementation of 5 Year Strategic Plan:

Section 2.6: Transparency and ethical decision making continue to be the framework in which the county operates.

SUMMARY:

See attached draft minutes submitted by Teri Davis, Recording Secretary/Deputy Clerk, for the following LCBCC meeting(s):

September 30, 2021 Regular Meeting

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.:

Easel ☐ If checked; how many: Laptop ☑ Projector ☑ Other:

See Additional Summary Attached ☐

SUBMITTER'S RECOMMENDATION(S):

Review & Approve Minutes

Submitter's Signature
Department Director, Etc.

Sandra Stout-Brito

FINANCE REVIEW Fiscal Impact/Cost:

ByPass Finance Review

Reviewed by Finance Director

ByPass Finance Review

Digitally signed by ByPass Finance Review
Date: 2021.10.18 10:13:52 -06'00'

LEGAL REVIEW: (Note: Travel does not need legal review)

Reviewed by County Attorney

COUNTY MANAGER REVIEW:

09/30 draft meeting minutes emailed to Commissioners on 10/05 for review. 10/06 reviewed by LCBCC D3.

Approved by County Manager
to be Placed on Agenda

Mike Gallagher

Item No. 0101

RECORDING SECRETARY'S USE ONLY ~ COMMISSION ACTION TAKEN

Approved: _____ Denied: _____ Other: _____
Resolution No. 21-OCT-222R Policy No. _____ Ordinance No. _____
Continued To: _____ Referred To: _____ Comments: _____

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 21-OCT-222R

A RESOLUTION APPROVING THE LEA COUNTY
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

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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*

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LEA COUNTY BOARD OF COUNTY COMMISSIONERS

_____	_____
Rebecca Long (District 2), Chair	Dean Jackson (District 1), Vice Chair
Voted: Yes No Abstain	Voted: Yes No Abstain
_____	_____
Gary G. Eidson (District 3), Member	Jonathan Sena (District 4), Member
Voted: Yes No Abstain	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
September 30, 2021

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Commissioners not present were, to wit: Commissioner Jonathan Sena, District 4

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 Eidson.

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 21-SEP-194R Approving the following Meeting Minutes:
    - September 2, 2021 Special Meeting
    - September 2, 2021 Regular Meeting
    - September 9, 2021 Special Meeting

Chair Long requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Jackson moved to approve Lea County Resolution. No. 21-SEP-194R Approving the September 2, 2021 Special Meeting Minutes, the motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

Chair Long requested approval and asked if there were any public comments concerning the September 2, 2021 Regular Meeting Minutes. Commissioner Eidson moved to approve Lea County Resolution. No. 21-SEP-194R approving the September 2, 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, absent; Commissioner Sims, yes. The motion passed.

Chair Long requested approval and asked if there were any public or Commissioner comments concerning September 9, 2021 Special Meeting Minutes. Commissioner Sims moved to approve Lea County Resolution. No. 21 SEP-194R approving the September 9, 2021 Special Meeting Minutes. The motion was seconded by Commissioner Eidson. Secretary polled the

Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Public Comments (Non Agenda Items)

Alan Pyle, Presenter for Water Fleet (Company) - Discussion of their intention to get a permit from the Environmental Department for the operation of portable water reclaiming and supply rigs on Construction Sites, for Temporary Housing and on Remote Work Locations.

Waldy Lopez, Co-Presenter– Spoke about how this has already been in use for over three years in Texas.

Chair Long questioned Mr. Pyle about the movement and numbers of these rigs.

Mr. Pyle replied to her stating they would move from site to site dependent upon need and he could see them operating about 50 units at 50 different locations at this time.

Commissioner Sims had a question about the cleanliness and TDS of the reclaimed water.

Mr. Pyle replied to Commissioner Sims saying TDS is low equivalent to that of purified bottled water. He added that the reuse standard would be determined by the Environmental Department but the water after processing was even better than the water brought in for use before reclaimed.

- Commissioners and Manager Comments

Commissioner Sims commended Sheriff Helton for recovery of a stolen fire arm.

Commissioner Jackson thanked everyone for their attendance of the Concert and Team Building event.

Chair Long joined in thanking everyone for the same and polled the audience for their opinion of the events.

County Manager Gallagher added his words of appreciation and stated that it was something to build upon and look forward to next year. He also stated that Commission Sena asked him to let everyone know he was absent today due to a death in his family and sends his regards.

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- Consideration of Lea County Resolution No. 21-SEP-195R Approving/Confirming Appointments to the Lea County DWI Advisory Council.

Chair long stated that she did not have a replacement for her district as of meeting time and read through the list of districts needing appointments/replacements. Chair Long then asked Commissioner Sims for his recommendation for District 5.

Commissioner Sims recommended John Fray of the Eunice Police Department as replacement for District 5.

- Chair Long requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-SEP-195R Approving/Confirming Appointments to the Lea County DWI Advisory Council. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

ITEM 02: ACTION ITEMS

- Consideration of Lea County Resolution No. 21-SEP-196R Approving Grant No. G20SN0017A Modification No. 3 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2020 to 12/31/2021. *(Wm Robert Sullivan, HIDTA Region VI Drug Task Force Coordinator)*

Task Force Coordinator Sullivan requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Jackson moved to approve Lea County Resolution. No. 21-SEP-196R Approving Grant No. G20SN0017A Modification No.3 Between Lea County and The Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2020 to 12/31/2021. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

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- Consideration of Lea County Resolution No. 21-SEP-197R Grant No. G21SN0017A Modification No.1 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2020 to 12/31/2022. *(Wm Robert Sullivan, HIDTA Region VI Drug Task Force Coordinator)*

Task Force Coordinator Sullivan requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution No. 21-SEP-197R Grant No. G21SN0017A Modification No.1 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2021 to 12/31/2022. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-198R Grant No. G21SN0017A Modification No.2 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2021 to 12/31/2022. *(Wm Robert Sullivan, HIDTA Region VI Drug Task Force Coordinator)*

Task Force Coordinator Sullivan requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-SEP-198R Grant No. G21SN0017A Modification No.2 Between Lea County and the Office of National Drug Control Policy Increasing Funds for the High Intensity Drug Trafficking Area (HIDTA) Region VI Awarded 01/01/2021 to 12/31/2022. The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Sena, absent; Commissioner Eidsen, yes; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-Sep-199R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing the 3rd Option to Renew Agreement between Lea County and Epicenter Productions, LLC for Professional Sound and Production Services for the 2022 Lea County Fair & PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 21-Sep-199R Approving a Recommendation from the Lea County Fair & Rodeo

Board Authorizing the 3rd Option to Renew Agreement between Lea County and Epicenter Productions, LLC for Professional Sound and Production Services for the 2022 Lea County Fair & PRCA Rodeo. The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Sena, absent; Commissioner Eidson, yes; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-200R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing the 4th Option to Renew Agreement between Lea County and Pete Carr Pro Rodeo as Stock Contractor for the 2022 Lea County Fair and PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 21-SEP-200R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing the 4th Option to Renew Agreement between Lea County and Pete Carr Pro Rodeo as Stock Contractor for the 2022 Lea County Fair and PRCA Rodeo. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-Sep- 201R Approving a Recommendation from the Lea County Fair and Rodeo Board for an Agreement between Lea County and Ted Harbin as Rodeo Media Specialist During the 2022 Lea County Fair & PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Jackson moved to approve Lea County Resolution. 21-Sep-201R Approving a Recommendation from the Lea County Fair and Rodeo Board for an Agreement between Lea County and Ted Harbin as Rodeo Media Specialist During the 2022 Lea county Fair & PRCA Rodeo The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-202R Approving a Recommendation from the Lea County Fair and Rodeo Board for an Agreement between Lea County and Jacob King as a Rodeo Bullfighter During the 2022 Lea county Fair & PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

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Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. 21-SEP-202R Approving a Recommendation from the Lea County Fair and Rodeo Board for an Agreement between Lea County and Jacob King as a Rodeo Bullfighter During the 2022 Lea county Fair & PRCA Rodeo. The Motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-203R Approving a Recommendation from the Lea County Fair & Rodeo Board for an Agreement between Lea County and Clay Heger as a Rodeo Bullfighter During the 2022 Lea County Fair & PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 21-SEP-203R Approving a Recommendation from the Lea County Fair & Rodeo Board for an Agreement between Lea County and Clay Heger as a Rodeo Bullfighter During the 2022 Lea County Fair & PRCA Rodeo. The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-204R Approving a Recommendation from the Lea County Fair & Rodeo Board for an Agreement between Lea County and Peggy Gander dba Cowboy Images as the Rodeo Photographer During the 2022 Lea County Fair & PRCA Rodeo. *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair and Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Jackson moved to approve Lea County Resolution No. 21-SEP-204R Approving a Recommendation from the Lea County Fair & Rodeo Board for an Agreement between Lea County and Peggy Gander dba Cowboy Images as the Rodeo Photographer During the 2022 Lea County Fair & PRCA Rodeo. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-205R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing a 25% Rate Increase for the Box Seats at the Lea County Fair & Rodeo *(Larry Wheeler, Chair Fair & Rodeo Board)*

Fair & Rodeo Board Chair Wheeler requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Comments were as follows:

Chair Long noted that Lea County was not in need of the funds and asked to know what the reason for the increase was.

Chair Wheeler explained reasoning was that box seat holders were not attending and there was a waiting list for those seats.

After a brief discussion, all Commissioners were in agreement that an increase was not necessary, and that calling seat holders to let them know of the waiting list was a better way to proceed.

Commissioner Sims moved to approve Lea County Resolution No. 21-SEP-205R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing a 25% Rate Increase for the Box Seats at the Lea County Fair & Rodeo. The motion was seconded by Commissioner Jackson. Secretary polled the Commission. Chair Long, no; Vice Chair Jackson, no; Commissioner Eidson, no; Commissioner Sena, absent; Commissioner Sims, no. The motion did not pass.

- Consideration of Lea County Resolution No. 21-SEP-206R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing Wednesday, August 3, 2022 as a “Free Admission “Day During the 2022 Lea County Fair and PRCA Rodeo. *(Jim Kemp, Fairgrounds General Manager on behalf of Fair & Rodeo Board)*

Fairgrounds General Manager Kemp requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner comments were as follows:

Commissioner Jackson mentioned that Box Seat Holders actually contribute to paying for “Free Admission” day by paying for their yearly renewal fees.

Commissioner Sims moved to approve Lea County Resolution No. 21-SEP-206R Approving a Recommendation from the Lea County Fair & Rodeo Board Authorizing Wednesday, August 3, 2022 as a “Free Admission” Day during

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the 2022 Lea County Fair and PRCA Rodeo. The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-207R Approving Precinct boundaries for the 2022-2023 Elections. *(Keith Manes, County Clerk)*

Clerk Manes requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-SEP-207R Approving Precinct boundaries for the 2022-2023 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, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-208R Authorizing the Submittal of a Grant Application and Agreement between Lea County and the New Mexico Department of Transportation for the Safer New Mexico DWI Grant and Safety Funds for FY 2021-2022 to include: End Driving While Impaired (ENDWI) Project No. 02-AL-64-051; Buckle Up (BKLUP)/Click It or Ticket (CIOT) Project No.02-OP-RF-051; and Selective Traffic Enforcement Program (STEP)/Summer Enforcement Period Project No.02-PT-RF-051;for Total Funding Award of $25,783.00*. (Corey Helton, County Sheriff)*

Sheriff Helton requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution. No. 21-SEP-208R Authorizing the Submittal of a Grant Application and Agreement between Lea County and the New Mexico Department of Transportation for the Safer New Mexico DWI Grant and Safety Funds for FY 2021-2022 to include: End Driving While Impaired (ENDWI) Project No. 02-AL-64-051; Buckle Up (BKLUP)/Click It or Ticket (CIOT) Project No.02-OP-RF-051; and Selective Traffic Enforcement Program (STEP)/ Summer Enforcement Period Project No.02-PT-RF-051;for Total Funding Award of $25,783.00 The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-209R Authorizing the Submittal of a Grant Application to the New Mexico Department of Finance and Administration, Local Government Division for Additional Funding Available in the Local DWI Grant and Distribution Program for Fiscal Year 2022. *(Kelly Livingston, DWI/Probation Director)*

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Director Livingston requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution. No. 21-SEP-209R Authorizing the Submittal of a Grant Application to the New Mexico Department of Finance and Administration, Local Government Division for Additional Funding Available in the Local DWI Grant and Distribution Program for Fiscal Year 2022. The motion was seconded by Vice Chair Jackson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-210R Approving the 2022 Lea County Employee Calendar. *(Craig Bova, Human Resources Director)*

Human Resources Director Bova requested approval. Chair Long asked if there were any public or Commissioner comments concerning this agenda item.

Commissioner comments were as follows:

Commissioner Sims had a question concerning the reasoning behind one of the added holidays.

Human Resources Director Bova answered by saying it was a New Federal Holiday.

Vice Chair Jackson moved to approve Lea County Resolution. No. 21-SEP-210R Approving the 2022 Lea County Employee Calendar. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-211R Approving a cooperative Educational Services (CES) Task Order with D&D Automation & Electric, LLC for the Installation of Runway Cameras at the Lea County Regional Airport. *(Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-SEP-211R Approving a cooperative Educational Services (CES) Task Order with D&D Automation & Electric, LLC for the Installation of Runway Cameras at the Lea County Regional Airport. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

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- Consideration of Lea County Resolution No. 21-SEP-212R Approving Award of Bid No. 02(2021-2022) High Performance Asphalt Patch Material for the Lea County Road Department to Pavement Sealants and Supply Inc. *(Corey Needham, Assistant County Manager)*

Assistant 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.21-SEP-212R Approving Award of Bid No. 02(2021-2022) High Performance Asphalt Patch Material for the Lea County Road Department to Pavement Sealants and Supply Inc. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-213R Approving Award of Bid No. 02(2021-2022) Reflectorized High-Durable Traffic Striping for the Lea County Road Department to Highway Supply, LLC *(Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No. 21-SEP-213R Approving Award of Bid No. 02(2021-2022) Reflectorized High-Durable Traffic Striping for the Lea County Road Department to Highway Supply, LLC The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-214R Amending a Cooperative Educational Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Road – 1.0 Miles Beginning at Orla Road for $366,592.00 (*Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution. No. 21-SEP-214R Amending a Cooperative Educational Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Road – 1.0 Miles Beginning at Orla Road for $366,592.00. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice

Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-215R Authorizing a Cooperative Educational Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Road - 1.0 Miles Beginning at Orla Road for $310,518.00 (*Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution. No.21- SEP-215R Amending a Cooperative Educational Services (CES) Task Order with Constructors Inc. to Widen and Apply Overlay on Battle Axe Road – 1.0 Miles Beginning at Orla Road for $310,518.00. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-216R Approving Land Acquisition for Maljamar Fire Substation from Branch Ranch, LLC (*Corey Needham, Assistant County Manager)*

Assistant 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 21-SEP-216R Approving Land Acquisition for Maljamar Fire Substation from Branch Ranch, LLC. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-217R Approving a Recommendation from an Appointed Freeholders Committee Denying the Request to Vacate 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. *(Bruce Reid, County Planner)*

Assistant Manager Needham requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Commissioner comments were as follows:

Vice Chair Jackson questioned why one side of the same street had already been vacated but this one is being denied?

County Planner Reid responded that it was being saved for future development and this was not considered at the time of the motion to vacate the other side.

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Commissioner Eidson moved to approve Lea County Resolution No. 21-SEP-217R Approving a Recommendation from an Appointed Freeholders Committee Denying the Request to Vacate 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., LLC. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-218R Approving a Recommendation from the Lea County Planning & Zoning Board for the Approval with Conditions of the Preliminary Plat for High Lonesome, Unit 4 in Section 19, township 17 south, Range 38 East N.M.P.M. In Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reed requested approval. Chair Long asked if there were any public comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No.21-SEP-218R Approving with Conditions a Recommendation from the Lea County Planning & Zoning Board for the Approval of the Preliminary Plat for High Lonesome, Unit 4 in Section 19, township 17 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, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-219R Approving a Recommendation from the Lea County Planning & Zoning Board for the Final Plat for Mesquite Draw Subdivision in Section 31, Township 17 South, Range 38 East, N.M.P.M.in Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reid requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Commissioner Eidson moved to approve Lea County Resolution. No.21-SEP-219R Approving a Recommendation from the Lea County Planning & Zoning Board for the Approval of the Preliminary Plat for Mesquite Draw Subdivision, Section 31, Township 17 South, Range 38 East, N.M.P.M.in Lea County, New Mexico The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, yes; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

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- Consideration of Lea County Resolution No. 21-SEP-220R Authorizing Lea County's Fiscal year 2021 – 2022 1st Quarter Payment and Certifications for the Safety Net Care Pool Fund. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution. No.21-SEP-220R Authorizing Lea County's Fiscal year 2021 – 2022 1st Quarter Payment and Certifications for the Safety Net Care Pool Fund. The motion was seconded by Chair Long. Secretary polled the Commission. Chair Long, yes; Vice Chair Jackson, no; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

- Consideration of Lea County Resolution No. 21-SEP-221R Approving the Lea County Indigent Claims Burial/Cremation Report. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Long asked if there were any public or commissioner comments concerning this agenda item. Vice Chair Jackson moved to approve Lea County Resolution No. 21-SEP-221R 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, no; Commissioner Eidson, yes; Commissioner Sena, absent; Commissioner Sims, yes. The motion passed.

ITEM 03: DISCUSSION ITEMS

- Discussion of the Lea County Boards and Committees. (Michael Gallagher, County Manager)

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

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

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ITEM 04: EXECUTIVE SESSION

• Board of County Commissioners

• At 10:44 a.m. Vice Chair Jackson moved to convene in Closed Session **to discuss threatened litigation involving land use in Lea County, threatened litigation regarding unclaimed decedents, threatened litigation regarding administrative procedures and pending litigation *In Re Purdue Pharma, L.P., et al.,* Case No. 19-23649 (RDD) (Bankr. S.D.N.Y.), as Authorized by NMSA 1978 § 10-15-1 H (7).**

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

The meeting reconvened at 12:26 p.m.

ITEM 05: OTHER BUSINESS

There was no other business.

The meeting was adjourned at 12:27 p.m.

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BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO

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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

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