



Consideration of Lea County Resolution No. 22-MAY-104R Approving the April 28, 2022 Regular Meeting Minutes

Pat Sims (District 1)
Voted: Yes

ATTEST: K
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By: Teri Davis,

STATE OF NEW MEXICO
COUNTY OF LEA
RESOLUTION NO. 22-MAY-104R

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 12th day of May, 2022, by the Lea County Board of County Commissioners in an open meeting in Lovington, New Mexico.

LEA COUNTY BOARD OF COUNTY COMMISSIONERS

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

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

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

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

Minutes of Meeting
Lea County Board of Commissioners
April 28, 2022

Chair Jackson called the meeting to order at 9:00 a.m. in the Lea County Courthouse.

Commissioners present were, to wit: Chair Dean Jackson, District 1, Vice Chair Gary G. Eidson, District 3, Commissioner Rebecca Long District 2, Commissioner Jonathan Sena, District 4. Commissioner Pat Sims, District 5 was absent.

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

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

- ITEM 01: COMMISSION
- Consideration of Lea County Resolution No. 22-APR-092R Approving the March 31, 2022 Regular Meeting Minutes.

Chair Jackson requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Resolution No. 22-APR-092R Approving the April 14, 2022 Meeting Minutes. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Public Comments
 - o None
- Commissioner and Manager Comments
 - o Commissioner Long – Commented on the issues of spay/neuter and stray animals in our county. Requested this matter be added to the next meeting agenda for discussion.
 - o Commissioner Sims – Absent
 - o Commissioner Sena – Spoke of his attendance at a recent conference supported by America’s Rural Energy Coalition where he was happy to represent and speak very highly of Lea County, our Budget and Staff. Expressed gratitude to all staff for being an inspiration to others.
 - o Vice Chair Eidson – No Comment
 - o Chair Jackson – Expressed his appreciation for the concert this weekend. He received positive feedback about attendance and sound although he was unable to be there. He also commented on his attendance at a conference in Lincoln Nebraska and encouraged everyone to research and





**LEA COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY FORM**

LCBCC Meeting Date: Thursday, May 12, 2022

Submit this summary form & all attachments to the Finance Director cldw@leacounty.net & cc the Community Engagement Manager sstout@leacounty.net; Public Information Officer mrussell@leacounty.net and County Manager mgallagher@leacounty.net by: **Tuesday, May 3, 2022**

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

DATE SUBMITTED mm-dd-yyyy: 05/10/2022	SUBMITTED BY Name, Title, Dept: Teri Davis, Recording Secretary, Deputy Clerk, Clerk's Office
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SUBJECT: Minutes	ATTACHMENT(S): Resolution Draft Minutes
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NO. OF ORIGINALS FOR SIGNATURE: 1 Resolution; 1 Set of Minutes	ACTION REQUESTED: Action Item
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BUDGET LINE ITEM NUMBER: N/A	FISCAL BUDGET YEAR: N/A
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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:

April 28, 2022 Regular Meeting

Requested Items Needed for Presentation Easels/Laptop/Projector/Etc.: Easel <input type="checkbox"/> Laptop <input checked="" type="checkbox"/> Projector <input checked="" type="checkbox"/> Other: _____ <small>If checked, how many:</small>	See Additional Summary Attached <input type="checkbox"/>
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SUBMITTER'S RECOMMENDATION(S): Review & Approve Minutes	Submitter's Signature Department Director, Etc.
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FINANCE REVIEW Fiscal Impact/Cost:	Reviewed by Finance Director
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LEGAL REVIEW: (Note: Travel does not need legal review)	Reviewed by County Attorney
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COUNTY MANAGER REVIEW: 05/10: Draft meeting minutes emailed to Commissioners for review.	Approved by County Manager to be Placed on Agenda <i>Mike Collopy</i>
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Item No. 0101 RECORDING SECRETARY'S USE ONLY ~ COMMISSION ACTION TAKEN		
Approved: _____	Denied: _____	Other: _____
Resolution No. <u>22-MAY-104R</u>	Policy No. _____	Ordinance No. _____
Continued To: _____	Referred To: _____	Comments: _____

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COUNTY OF LEA
RESOLUTION NO. 22-MAY-104R

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

Rebecca Long (District 2), 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

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

By: _____
Teri Davis, Deputy Clerk

John W. Caldwell, County Attorney

**Minutes of Meeting
Lea County Board of Commissioners
April 28, 2022**

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

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

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 22-APR-092R Approving the March 31, 2022 Regular Meeting Minutes.

Chair Jackson requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Resolution No. 22-APR-092R Approving the April 14, 2022 Meeting Minutes. The motion was seconded by Commissioner Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Public Comments
 - None
- Commissioner and Manager Comments
 - Commissioner Long – Commented on the issues of spay/neuter and stray animals in our county. Requested this matter be added to the next meeting agenda for discussion.
 - Commissioner Sims – Absent
 - Commissioner Sena – Spoke of his attendance at a recent conference supported by America's Rural Energy Coalition where he was happy to represent and speak very highly of Lea County, our Budget and Staff. Expressed gratitude to all staff for being an inspiration to others.
 - Vice Chair Eidson – No Comment
 - Chair Jackson – Expressed his appreciation for the concert this weekend. He received positive feedback about attendance and sound although he was unable to be there. He also commented on his attendance at a conference in Lincoln Nebraska and encouraged everyone to research and

get educated concerning 30 x 30 land grab, now called America the Beautiful. Suggested that everyone call their Senators and Congressman to prevent this from happening.

- Consideration of Lea County Resolution No. 22-APR-093R Approving/Confirming Appointments to the Lea County Improvement Corporation.

Chair Jackson requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Eidson moved to approve Resolution No. 22-APR-093R Approving/Confirming Appointments to the Lea County Improvement Corporation. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-094R Approving/Confirming Appointments to the Lea County Valuation Protests Board. (*Lea County Assessor, Sharla Kennedy*)

Assessor Kennedy requested approval and Chair Jackson asked for any public or Commissioner comments. Commissioner Long moved to approve Lea County Resolution No. 22-APR-094R Approving/Confirming Appointments to the Lea County Valuation Protests Board. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

ITEM 02: ACTION ITEMS

- Consideration of Lea County Resolution No. 22-APR-095R Denying a Right of Way Permit to Windstream Communications for the Installation of 140 Foot Monopole Along Alabama Street. (*Corey Needham, Assistant County Manager*)

Assistant Manager Needham requested approval. Commissioner Long moved to approve Lea County Resolution No. 22-MAR-095R Denying a Right of Way Permit to Windstream Communications for the Installation of 140 Foot Monopole Along Alabama Street. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes;

Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-096R Approving a Cooperative Educational Services Task Order with Constructors, Inc. to Widen and Apply Overlay on Battle Axe Road – 3.0 Miles Beginning 1.0 Mile in from Orla Intersection. *(Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Jackson asked for any public or Commissioner comments. Commissioner Long moved to approve Lea County Resolution No. 22-APR-096R Approving a Cooperative Educational Services Task Order with Constructors, Inc. to Widen and Apply Overlay on Battle Axe Road – 3.0 Miles Beginning 1.0 Mile in from Orla Intersection. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-097R Approving the 2022 – 2023 2nd Option to Renew the Agreement Aggregate for Surface Treatment to Constructors, Inc for Surface Treatment to Constructors, Inc (Region 1) and to J&H Services (Region 2 & 3), *(Corey Needham, Assistant County Manager)*

Assistant Manager Needham requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Lea County Resolution No. 22-APR-097R the 2022 – 2023 2nd Option to Renew the Agreement Aggregate for Surface Treatment to Constructors, Inc for Surface Treatment to Constructors, Inc (Region 1) and to J&H Services (Region 2 & 3), The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-098R Approving the Recommendation of a Freeholders Committee to Deny the Vacation of Alleys with Blocks 31, 44, 47 Plus Roxana Street and Skelly Street Between Blocks 31, 44, 47 of Humble City Subdivision, Unit 1 in Section 35, Township 17 South, Range 37 East N.M.P.M. Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reid requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Lea County Resolution No. 22-APR-098R Approving the Recommendation of a Freeholders Committee to Deny the Vacation of Alleys with Blocks 31, 44, 47 Plus Roxana Street and Skelly Street Between Blocks 31, 44, 47 of Humble City Subdivision, Unit 1 in Section 35, Township 17 South, Range 37 East N.M.P.M. Lea County, New Mexico. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-099R Approving a Recommendation from the Lea County Planning and Zoning Board Regarding a Block Length Variance Request in the Torres Subdivision Located in the Northeast Quarter of Section 28, Township 25 South, Range 37 East N.M.P.M. Lea county New Mexico. *(Bruce Reid, County Planner on Behalf of the Planning and Zoning Board)*

County Planner Reid requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 22-APR-099R Approving a Recommendation from the Lea County Planning and Zoning Board Regarding a Block Length Variance Request in the Torres Subdivision Located in the Northeast Quarter of Section 28, township 25 South, Range 37 East N.M.P.M. Lea County New Mexico The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-100R Awarding Request for Proposal No. 02 2021 – 2022 for County – Wide Care and Maintenance of Sick and Indigent for Fiscal Year 2022-2023. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Vice Chair Eidson moved to approve Lea County Resolution No. 22-APR-100R Awarding Request for Proposal No. 02 2021 – 2022 for County – Wide Care and Maintenance of Sick and Indigent for Fiscal Year 2022-2023. The motion was seconded by Commissioner Long. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes;

Commissioner Sena, abstain; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-101R Awarding Request for Proposal No. 02 2021 – 2022 for County – Wide Economic Development Services for Fiscal Year 2022-2023. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sena moved to approve Lea County Resolution No. 22-APR-101R Awarding Request for Proposal No.02 2021 – 2022 for County – Wide Economic Development Services for Fiscal Year 2022-2023. The motion was seconded by Commissioner Long. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-102R Approving Government Agency Funding to New Mexico State University (NMSU) Extension Office; Lea Soil and Water Conservation District; and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (USDA APHIS-WS) for Fiscal Year 2022-2023. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Lea County Resolution No. 22-APR-102R Approving Government Agency Funding to New Mexico State University (NMSU) Extension Office; Lea Soil and Water Conservation District; and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (USDA APHIS-WS) for Fiscal Year 2022-2023. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-APR-103R Rescinding Resolution no. 22-MAR-083R and Approving Adjustments to the Fiscal Year 2021 – 2022 Budget. *(Chip Low, Finance Director)*

Finance Director Low requested approval. Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Lea County Resolution No. 22-APR-103R Rescinding Resolution No. 22-MAR-083R and Approving

Adjustments to the Fiscal Year 2021 – 2022 Budget. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, absent; Commissioner Long, yes. The motion passed.

ITEM 03: DISCUSSION ITEMS

- Discussion of Fires in Lea County. *(Lorenzo Velasquez, Emergency Manager/Environmental Services Director)*
Emergency Manager Velasquez presented numbers and details of grassfires in Lea County so far this year, spoke of severe drought declarations already in effect for the entire state.
- Discussion of Community and Neighborhood Cleanup Days. *(Lorenzo Velasquez, Emergency Manager/Environmental Services Director)*
Environmental Services Director Velasquez introduced some of his team members and discussed the various projects they were working on including Adopt a Road and Neighborhood cleanup days.
- Discussion of Lea County's Fiscal Year 2022-2023 Budget: *(Michael Gallagher, County Manager; Chip Low, Finance Director)*
County Manager Gallagher and Finance Director Chip Low took turns discussing various aspects of Lea County's Fiscal Year 2022-2023 Budget
- Discussion of Lea County's Financial Report. *(Chip Low, Finance Director)*
Finance Director Low Presented Lea County's Financial Report for March 2022.
- Discussion of Lea County's Accounts Payable. *(Chip Low, Finance Director)*
Finance Director Low presented Lea County's Accounts Payable as of end of March 2022.

ITEM 04: EXECUTIVE SESSION

At 10:50 am, Vice Chair Eidson moved to meet in closed session to discuss threatened litigation regarding service contracts, pending litigation regarding congressional redistricting, and acquisition of real property in Lovington, as authorized by NMSA 1978 § 10-15-1 H(7) and (8).

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

The Meeting Reconvened at 12:06 pm

ITEM 05: OTHER BUSINESS

There was no other business

Meeting adjourned at 12:06 pm

**BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO**

Dean Jackson, Chair

Gary G. Eidson, Vice Chair

Jonathan Sena, Member

Pat Sims, Member

Rebecca Long, Member

ATTEST: Keith Manes

Lea County Clerk

Teri Davis, Deputy Clerk