

**Minutes of Meeting  
Lea County Board of Commissioners  
March 10, 2022**

Chair Jackson called the meeting to order at 9:19 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.

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

Vice Chair Eidson led the Pledge of Allegiance followed by the Invocation by Commissioner Sena.

**ITEM 01: COMMISSION**

- Consideration of Lea County Resolution No. 22-MAR-052R  
Approving the February 17, 2022 Regular Meeting Minutes

Chair Jackson requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve No. 22-MAR-052R Approving the February 17, 2022 Regular Meeting Minutes. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Public Comments

- **Danny Fletcher, Holtec International:** Gave an update concerning the progress of Eddy/Lea Energy alliance. Twin bills both in House and Senate. Lobbying team defeated both Bills. Tabled at Senate Judiciary Committee. Received a lot of support from Lea and Eddy County. Senators Martin Henrich and Ted Cruz – proposed Federal Bills banning Federal Funding to store spent fuel. Less than 15% of Holtec is federal funding. We should hear by early summer about the Nuclear Regulatory licensing approval. Will update as available. Thank you for support.
  - Sena – Expressed his appreciation to Legislators. He reiterated his support of diversifying our economy, citing the uncertainty of decisions our Governor and President may make concerning the oil and gas industry.
- **State Representative Larry Scott, District 62 (First Comment):** Presented House Memorial #39 which was co-sponsored by 25 members of the House of Representatives and passed unanimously during the most recent Legislative

Session. This Proclamation Recognizes February 4, 2022 as Law Enforcement Appreciation Day. Representative Scott read the Memorial Proclamation and presented it to LCSO Chief Deputy Chan Kim.

- **State Representative Larry Scott, District 62 (Second Comment):** Mentioned that a Successful challenge to the redistricting efforts is a long shot. He commended the Redistricting Committee for doing a great job at the Legislative Session. Representative Scott explained what he felt the effects of the Congressional Redistricting were, including diluting the southern voice of the voters with more conservative values and supporters of the petroleum industry. He stated that he believes the best chance at change is not in the Courthouse but in the Ballot Box.
- Commissioner and Manager Comments
  - Chair Long – No comment
  - Commissioner Sims – Thanked everyone for attending today.
  - Commissioner Sena – Thanked everyone for attending the meeting today. He pointed out the video camera and televisions we have set up for the meetings, and suggested that we should start live streaming all of the County Commission Meetings so more people could see what they do.
  - Vice Chair Eidson – No Comment
  - Chair Jackson – Thanked all attendees. He commented on the horrible condition of Commercial Street and asked if we could contact someone to get it repaired.
    - ❖ Manager Gallagher responded to his request by saying that the Street belongs to the City of Lovington. He and Assistant Manager Corey Needham will approach the City Council at the next meeting concerning this matter and give an update at the next County Commission meeting.
- Consideration of Lea County Resolution No. 22-March-053R Amending Lea County Resolution No. 21-NOV-241R Regarding the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2022.

County Manager Gallagher requested approval. Chair Jackson asked for any public or Commissioner comments. Commissioner Long moved to approve Lea County Resolution No. 22-March-053R Regarding the Lea County Board of County Commissioners Meeting Dates for

Calendar Year 2022. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-054R Approving Participation in Litigation Opposing the State of New Mexico's Adopted Redistricting of the State.

Commissioners and Public comments were made by: Chair Jackson, Vice Chair Eidson, Commissioners Sena, Long and Sims. Comments were also made by Steve McCutchen, Pat McCasland, Jarrod Foster, NM State Representative Randy Pettigrew, District 61.

Chair Jackson requested approval. Commissioner Long moved to approve Lea County Resolution No. 22-MAR-054R Approving Participation in Litigation Opposing the State of New Mexico's Adopted Redistricting of the State. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-055R Authorizing in State Travel March 24, 2022 for the County Commissioners to attend the Legislative Regional Meeting in Chaves County, Roswell, New Mexico.

County Manager Gallagher requested approval and asked for any public or Commissioner comments. Commissioner Long moved to approve Lea County Resolution No. 22-MAR-055R Authorizing in State Travel March 24, 2022 for the County Commissioners to attend the Legislative Regional Meeting in Chaves County, Roswell, New Mexico. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-056R Authorizing In State Travel June 12 – 18, 2022 for the County Commissioners to attend the 2022 New Mexico Counties Annual Conference in Bernalillo County, Albuquerque, New Mexico.

County Manager Gallagher 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-MAR-056R Authorizing In State Travel June 12 – 18, 2022 New Mexico Counties Annual Conference in Bernalillo County, Albuquerque, New Mexico. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-057R Authorizing Out of State Travel July 20-25, 2022 for the County Commissioners to attend the 2022 National Association of Counties Annual Conference in Adams County, Colorado.

Mike Gallagher requested approval and asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Long moved to approve Lea County Resolution No. 22-MAR-057R Authorizing Out of State Travel July 20-25, 2022, for the County Commissioners to attend the 2022 National Association of Counties Annual Conference in Adams County, Colorado. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-058R Authorizing a Freemasons Cornerstone Ceremony at the Lea County Judicial Complex. (Pat Sims, Commissioner – District 5)

- Steve Almaguer presented a handout to the Commissioners that explained the Cornerstone Ceremony in detail. He went on to explain the origin and meaning of Free Masons and their core values of Stability, Morality, and Truth. In closing he wanted to be sure it was understood that this was an offer of a blessing on the new Judicial Complex. Mr. Almaguer thanked everyone for their time and stood for questions.

Commissioner Sims requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item.

- ❖ Commissioner Sena, Vice Chair Eidson and Chair Jackson all commented.
- ❖ Jarrod Foster commented.

Offer was respectfully rescinded by the Freemasons before an official vote was made and recorded.

Commissioner Sena moved to table indefinitely, Lea County Resolution No. 22-MAR-058R Authorizing a Freemasons Cornerstone Ceremony at the Lea County Judicial Complex. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion to Table Indefinitely was passed.

**ITEM 02: PRESENTATION**

- **Presentation of Lea County Economic Analysis.** *(Julian Baca, M.A.; Dr. Michael O'Donnell, PhD – University of New Mexico Bureau of Business and Economic Research)* – **POSTPONED**

Manager Gallagher requested presentation to be postponed indefinitely. Commissioner Long made a motion to postpone presentation indefinitely. Motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion to Postpone Indefinitely was passed.

**ITEM 03: PUBLIC HEARING(S)**

- **Public Hearing:** Hearing to Consider Proposed Ordinance Governing Nuisances Repealing and Superseding Ordinance No. 95 Dated July 25, 2019.
  - ❖ Consideration to Adopt Lea County Ordinance No. 95 – An Ordinance Governing Nuisances Repealing and Superseding Ordinance No. 95 Dated July 25, 2019.
- After being sworn in, Attorney John Caldwell requested approval of Proposed Ordinance Governing Nuisances Repealing and

Superseding Ordinance No. 95 Dated July 25, 2019. Chair Jackson asked if there were any comments.

Commissioner Sims asked a question followed by comments from Commissioners Long, Sena and Chair Jackson. Explanation of procedures were given by Environmental Director Lorenzo Velasquez and County Manager Mike Gallagher after being sworn in by Chair Jackson.

Commissioner Long moved to approve Proposed Ordinance Governing Nuisances Repealing and Superseding Ordinance No. 95 Dated July 25, 2019. Motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- **Public Hearing:** Hearing to Consider Proposed Ordinance Governing Noise Control Repealing and Superseding Ordinance No. 96 – Dated Jul 25, 2019.
  - ❖ Consideration to Adopt Lea County Ordinance No. 96 – An Ordinance Governing Noise Control Repealing and Superseding Ordinance 96 Dated July 25, 2019.

Attorney John Caldwell requested approval of Proposed Ordinance Governing Noise Control Repealing and Superseding Ordinance No. 96 – Dated Jul 25, 2019. Commissioner Long moved to approve Proposed Ordinance Governing Noise Control Repealing and Superseding Ordinance No. 96 – Dated Jul 25, 2019. Motion seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- **Public Hearing:** Hearing to Consider Proposed Ordinance Governing Dangerous Buildings Repealing and Superseding Ordinance No. 97 Dated July 25, 2019. - An Ordinance Governing Dangerous Buildings Repealing and Superseding Ordinance No. 97 Dated July 25, 2019.
  - ❖ Consideration to Adopt Lea County Ordinance No. 97 - An Ordinance Governing Dangerous Buildings Repealing and Superseding Ordinance No. 97 Dated July 25, 2019.

Attorney John Caldwell requested approval of Proposed Ordinance Governing Dangerous Buildings Repealing and Superseding Ordinance No. 97 Dated July 25, 2019. Commissioner Long moved to approve Proposed Ordinance Governing Dangerous Buildings. Motion seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, no; Commissioner Long, yes. The motion passed.

- **Public Hearing:** Hearing to Consider Proposed Ordinance Regulating Cannabis
  - ❖ Consideration to Adopt Lea County Ordinance No. 98 – An Ordinance Regulating Cannabis.

Attorney John Caldwell requested approval of Proposed Ordinance Regulating Cannabis. Chair Jackson asked if there were any comments. After discussion by Commissioners and Attorney Caldwell, Vice Chair Eidson moved to approve Proposed Ordinance Regulating Cannabis. Motion seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

**ITEM 04: ACTION ITEMS**

- Consideration of Lea County Resolution No. 22-MARCH-059R Authorizing the Approval and Execution of an Application for Law Enforcement Protection Funds for Fiscal Year 2022-2023. (Chan Kim for County Sheriff)

Lea County Sheriff's Office, Chief Deputy Chan Kim requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 22-MARCH-059R Authorizing the Approval and Execution of an Application for Law Enforcement Protection Funds 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, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-060R Approving Lifting the Hiring Freeze on Remaining Positions for Fiscal Year 2021-2022. (Craig Bova, Human Resources Director)

Human Resources Director Bova requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 22-MAR-060R Approving Lifting the Hiring Freeze on Remaining Positions for Fiscal Year 2021-2022. The motion was seconded by Commissioner Long. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-March-061R Approving a Cooperative Educational Services Agreement Between Lea County and NCA architects P.A. for the Design of Maljamar Fire Station No. 2. (Corey Needham, Assistant County Manager)

Assistant Manager Needham requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 22-MAR-061R Approving a Cooperative Educational Services Agreement Between Lea County and NCA architects P.A. for the Design of Maljamar Fire Station No. 2. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-062R Approving a Task Order with Square Root Services, LLC for the Service and Design of the Reconstruction of Wyoming Street from NM 128 (Carlsbad Hwy) to Jal City Limits – Approximately 1.1 Miles. (Corey Needham, Assistant County Manager)

Assistant Manager Needham requested approval and 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-MAR-062R Approving a Task Order with Square Root Services, LLC for the Service and Design of the Reconstruction of Wyoming Street from NM 128 (Carlsbad Hwy) to Jal City Limits – Approximately 1.1 Miles. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.



- Consideration of Lea County Resolution No. 22-MAR-063R  
Approving the 2022 Annual Certified County Maintained Mileage Report.  
(Corey Needham, Assistant County Manager)

Assistant County Manager Needham requested approval and 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-MAR-063R Approving the 2022 Annual Certified County Maintained Mileage Report. The motion was seconded by Commissioner Sims. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-064R  
Approving the Recommendation of the Freeholders Committee to Vacate the Alley Between Lot 7, Lot 8, and Lot 9 in Block 13 in the Green Meadows Subdivision, Unit 2, in Section 17, Township 18 South, Range 38 East N.M.P.M. in Lea County, New Mexico. (Bruce Reid, County Planner)

County Planner Reid requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 22-MAR-064R Approving the Recommendation of the Freeholders Committee to Vacate the Alley Between Lot 7, Lot 8, and Lot 9 in Block 13 in the Green Meadows Subdivision, Unit 2, in Section 17, Township 18 South, Range 38 East N.M.P.M. in 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, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-065R  
Approving the Findings and Proposed Disposition of Inventory.  
(Chip Low, Finance Director)

Finance Director Low requested approval and Chair Jackson asked if there were any public or Commissioner comments concerning this agenda item. Commissioner Sims moved to approve Lea County Resolution No. 22-MAR-065R Approving the Findings and Proposed Disposition of Inventory. The motion was seconded by Vice Chair Eidson. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-MAR-066R Authorizing Lea County's Fiscal Year 2021-2022 3<sup>rd</sup> Quarter Payment and Certification for the Safety Net Car Pool Fund. (Chip Low, Finance Director Manager)

Finance Director Low requested approval and 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-MAR-066R Authorizing Lea County's Fiscal Year 2021-2022 3<sup>rd</sup> Quarter Payment and Certification for the Safety Net Car Pool Fund. The motion was seconded by Commissioner Sena. Secretary polled the Commission. Chair Jackson, no; Vice Chair Eidson, yes; Commissioner Sena, yes; Commissioner Sims, no; Commissioner Long, yes. The motion passed.

**ITEM 05: DISCUSSION ITEMS**

- Discussion of Lea County's Fiscal Year 2022-2023 Budget (Chip Low, Finance Director)
  - ❖ Projected Expenses

County Manager Gallagher and Finance Director Low discussed projected expenses.

**ITEM 06: EXECUTIVE SESSION**

Pursuant to Section 10-15-1 H (2) and (7) Respectively of the New Mexico Statutes Annotated (NMSA) 1978; to Discuss Threatened Litigation Regarding Employee Healthcare and Redistricting, and Pending Litigation Against Opioid Distributors and Johnson & Johnson; and Disposal of Real Property in Central Lea County.

- At 12:05\_a.m. Vice Chair 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 Threatened Litigation Regarding Employee Healthcare and Redistricting, and Pending Litigation Against Opioid Distributors and Johnson & Johnson; and Disposal of Real Property in Central Lea County. As Authorized by NMSA 1978 § 10-15-1 H (7) and (8).**

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

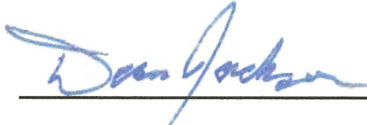
The meeting reconvened at 1:02 p.m.

**ITEM 05: OTHER BUSINESS**

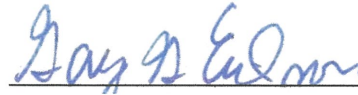
There was no other business.

The meeting adjourned at 1:02 p.m.

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



Dean Jackson, Chair



Gary G. Eidson, Vice Chair



Jonathan Sena, Member



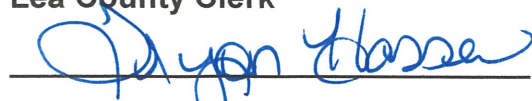
Pat Sims, Member



Rebecca Long, Member

**ATTEST: Keith Manes**

**Lea County Clerk**



Tryon Hassen, Chief Deputy Clerk

