

**Minutes of Meeting
Lea County Board of Commissioners
February 23, 2023**

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, District 3 absent, Commissioner Brad Weber, District 2, Commissioner Jonathan Sena, District 4. Commissioner Pat Sims, District 5. Vice Chair Gary G. Eidson, District 3 absent.

Also present Lea County Manager Michael P. Gallagher II.

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

ITEM 01: COMMISSION

- Consideration of Lea County Resolution No. 23-FEB-060R Approving the February 2, 2023 Meeting Minutes.

Chair Jackson requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-060R Approving the February 2, 2023 Meeting Minutes. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Public Comments:
 - Katie Woodruff – Expressed her concerns about vaccine and mask usage in state buildings.
 - Lila Serrano – Thanked Lea County for their support and contribution to the Community Drug Coalition. She said this program provides training, counseling, and mentorship programs to the community.
- Commissioner and Manager Comments:
 - Commissioner Sena – Thanked Law Enforcement for their protection and safety.
 - Chair Jackson – Attended the Environmental Energy Committee Meeting and the New Mexico County Board Meeting. He expressed his point of view about the articles presented.

ITEM 02: PUBLIC HEARING

Hearing to Consider Proposed Ordinance Regarding County Right-of-Way.
Consideration to Adopt Lea County Ordinance No. 100 - An Ordinance Establishing Rules and Procedures Governing Use of County Right-of-Way, Repealing and Superseding Ordinance No. 86. *(Corey Needham, Assistant County Manager)*

ITEM 03: ACTION ITEMS

- Consideration of Lea County Resolution No. 23-FEB-061R Approving the Purchase of VECTOR ALPR Three Lane Cameras. *(Corey Helton, Sheriff, Sheriff's Office)*

Sheriff Corey Helton requested approval. Commissioner Sena moved to approve 23-FEB-061R Approving the Purchase of VECTOR ALPR Three Lane Cameras. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-062R Approving the Purchase of XL Converge 185P and 200P Portable Radios. *(Corey Helton, Sheriff, Sheriff's Office)*

County Sheriff Corey Helton requested approval. Commissioner Sena moved to approve 23-FEB-062R Approving the Purchase of XL Converge 185P and 200P Portable Radios. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-063R Approving a Memorandum of Understanding Regarding the Lea County Law Enforcement Assisted Diversion Program. *(Jessica Owens, Lea County Guidance Center)*

Lea County Guidance Center Program Manager Jessica Owens requested approval. Commissioner Sena moved to approve Resolution No. 23-FEB-063R Approving a Memorandum of Understanding Regarding the Lea County Law Enforcement Assisted Diversion Program. The motion was seconded by Commissioner Sims. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-064R Ratifying Out-of-State Travel for Director Kelly Livingston February 21-23, 2023 to Austin, Texas for the attendance at the 2023 Texas Statewide Impaired Driving Forum. *(Mike Gallagher, Lea County Manager)*

County Manager Mike Gallagher requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-064R Ratifying Out-of-State Travel for Director Kelly Livingston February 21-23, 2023 to Austin, Texas for the attendance at the 2023 Texas Statewide Impaired Driving Forum. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-065R Approving Two Additional Full-Time, Non-Certified Positions to the Sheriff's Office. *(Craig Bova, Human Resources Director)*

Human Resources Director Craig Bova requested approval. Commissioner Sena moved to approve Resolution No. 23-FEB-065R Approving Two Additional Full-Time, Non-Certified Positions to the Sheriff's Office. The motion was seconded by Commissioner Sims. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-066R Approving to Issue a Request for Proposal Qualifications for a Design Architect for the Lea County Event Center. *(Edmundo Lara, Facilities Director)*

Facilities Director Edmundo Lara requested approval. Commissioner Sena moved to approve Resolution No. 23-FEB-066R Approving to Issue a Request for Proposal Qualifications for a Design Architect for the Lea County Event Center. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-067R Approving a Cooperative Educational Services Agreement in the Amount of \$113,295.53 to Demolition the Linam Building at 316 West Scharbauer by G.W.C. Construction. *(Edmundo Lara, Facilities Director)*

- Commissioner Comments:
 - Commissioner Sena – stated these facilities were used for multi-purposes. Removing these buildings will improve the usage of this area in the future.

Facilities Director Edmundo Lara requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-067R Approving a Cooperative Educational Services Agreement in the Amount of \$113,295.53 to Demolition the Linam Building at 316 West Scharbauer by G.W.C. Construction. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-068R Approving a Cooperative Educational Services Agreement in the Amount of \$ 97,914.78 by WWRC to Replace 5 Sets of Exterior Doors at the Lea County Judicial Complex. *(Edmundo Lara, Facilities Director)*

Facilities Director Edmundo Lara requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-068R Approving a Cooperative Educational Services Agreement in the Amount of \$ 97,914.78 by WWRC to Replace 5 Sets of Exterior Doors at the Lea County Judicial Complex. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-069R Approving Knowles Fire Station #2 - Change Order #1. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-069R Approving Knowles Fire Station #2 - Change Order #1. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-070R Approving Task Order No. 2019-17 with Molzen Corbin for Design Phase Services for the Replacement of the Existing Runway 12-30 MIRL. *(Corey Needham, Assistant County Manager)*

- Commissioner Comments
 - Chair Jackson - stated he was pleased to see how ridership is beginning to rise.
 - Commissioner Sena – mentioned it is more convenient to fly from Lea County Airport.

Assistant County Manager Corey Needham requested approval. Commissioner Sena moved to approve Resolution No. 23-FEB-070R Approving Task Order No. 2019-17 with Molzen Corbin for Design Phase Services for the Replacement of the Existing Runway 12-30 MIRL. The motion was seconded by Commissioner Sims. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-071R Approving a Construction and Maintenance Task Order with Constructors Inc., to Widen and Apply Overlay on Battle Axe Road - 1 Mile at Mile Marker 1 to Mile Marker 2 from New Mexico 128. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-071R Approving a Construction and Maintenance Task Order with Constructors Inc., to Widen and Apply Overlay on Battle Axe Road - 1 Mile at Mile Marker 1 to Mile Marker 2 from New Mexico 128. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-072R Approving a Construction and Maintenance Task Order with Constructors Inc., to Widen and Apply Overlay on Battle Axe Road - 9 Miles at Mile Marker 2 to Mile Marker 11 from New Mexico 128. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-072R Approving a Construction and Maintenance Task Order with Constructors Inc., to Widen and Apply Overlay on Battle Axe Road - 9 Miles at Mile Marker 2 to Mile Marker 11 from New Mexico 128. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-073R Approving a Cooperative Educational Services Agreement Task Order with Constructors Inc. for the Demolition of Existing Water Infrastructure at Lea County Regional Airport. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Weber moved to approve Resolution No. 23-FEB-073R Approving a Cooperative Educational Services Agreement Task Order with Constructors Inc. for the Demolition of Existing Water Infrastructure at Lea County Regional Airport. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-074R Approving a Task Order with Harcrow Surveying to Complete Right-of-Way Acquisition Services for Sandy Lane and East DeSoto Lane. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Weber moved to approve Resolution No. 23-FEB-074R Approving a Task Order with Harcrow Surveying to Complete Right-of-Way Acquisition Services for Sandy Lane and East DeSoto Lane. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-075R Approving a Task Order with John West Surveying to Complete Right-of-Way Acquisition Services for Absher and Penasco Roadways. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-075R Approving a Task Order with John West Surveying to Complete Right-of-Way Acquisition Services for Absher and Penasco Roadways. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-076R Approving a Task Order with John West Surveying to Complete Right-of-Way Acquisition Services for Matt Drive. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-076R Approving a Task Order with John West Surveying to Complete Right-of-Way Acquisition Services for Matt Drive. The motion was seconded by Commissioner Weber. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-077R Approving a Task Order with Pettigrew and Associates to Complete Right-of-Way Acquisition Services for Commanche and Mauri Roadways. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Corey Needham requested approval. Commissioner Weber moved to approve Resolution No. 23-FEB-077R Approving a Task Order with Pettigrew and Associates to Complete Right-of-Way Acquisition Services for Commanche and Mauri Roadways. The motion was seconded by Commissioner Sims. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

- Consideration of Lea County Resolution No. 23-FEB-078R Approving the Certification of Lea County Fixed Assets for the Fiscal Year 2021-2022. *(Chip Low, Finance Director)*

Finance Director Chip Low requested approval. Commissioner Sims moved to approve Resolution No. 23-FEB-078R Approving the Certification of Lea County Fixed Assets for the Fiscal Year 2021-2022. The motion was seconded by Commissioner Sena. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item. Secretary polled the Commission. Chair Jackson, yes; Vice Chair Eidson, absent; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Weber, yes. The motion passed.

BREAK: 10:20 A.M.

RESUMED: 10:29 A.M.

ITEM 04: DISCUSSION ITEMS

- Discussion of Law Services for the Town of Tatum. *(Sheriff Corey Helton, Sheriff's Office)*

Sheriff Helton stated the Town of Tatum Council dissolved the Tatum Police Department on February 13, 2023. He said all Law Enforcement Services have been turned over to the Lea County Sheriff's Office.

- Discussion of Reinstating Part-Time Deputy Treasurer Add New Full-Time Deputy Treasurer. *(Susan Marinovich, County Treasurer)*

County Treasurer Marinovich explained how the public suffers when not enough staff is available to assist with payments, call volume, and collection rates. For this reason, Susan is requesting a Part-Time and Full-Time Deputy Treasurer.

- Discussion of Remodel to the Lea County Historic Courthouse. *(Edmundo Lara, Facilities Director)*

Facilities Director Lara requested the Commissioners move forward with the remodel to the Lea County Historic Courthouse.

- Discussion of Private Roadways. *(Corey Needham, Assistant County Manager)*

Assistant County Manager Needham discussed Lea County having numerous roadway that are either not owned by the county, not maintained by the county or both. This creates a variety of problems including the ability to access for emergency personnel for life safety, school bus access, connectivity, development and title insurance.

- Discussion of a Multi-Year Roadway Capital Plan. *(Corey Needham, Assistant County Manager)*

Assistant County Needham discussed the importance of planning ahead on large capital roadways for the Multi-Year Roadway Capital Plan. The budget was explained for the upcoming years.

- Discussion of the 2023 - 2028 Lea County Strategic Plan. *(Anthony Dobbs, Budget Analyst)*

Budget Analyst Dobbs gave an up to date about the Strategic Plan. The Engagement Department will organize in town hall meetings for the surrounding areas of Lea County. Email and/or comment sheets will be provided to the public for any concerns or suggestions about the Strategic Plan.

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

Finance Director Low explained by using activity codes, they will see what the fair is actually costing.

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

Finance Director Low gave an overview of the cost of Indigent Care in Lea County.

- Discussion of Fiscal Year 2024 Projected Expenses. (*Chip Low, Finance Director*)

Finance Director Low stated he discussed only with department heads that approximately 76% of the opening budget for the Fiscal Year 2024 Expenses budget was spent.

ITEM 05: EXECUTIVE SESSION

- COMMISSION MAY CONVENE IN CLOSED SESSION to Discuss Threatened Litigation Regarding Law Enforcement in Lea County; Threatened Litigation Regarding Opioids; Pending Litigation in State of New Mexico *ex rel. Raul Torres v. Board of County Commissioners for Lea County et al.*; and the Disposal of Real Property in Central Lea County, as Authorized by NMSA 1978 Sections 10-15-1 H (7) and (8).

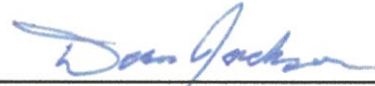
COMMISSION MAY CONVENE IN OPEN SESSION to Take Action, if any, on the Closed Session Item(s).

At 11:56 a.m. Commissioner Sena moved that the Commission **CONVENE** in Closed Session to Discuss Limited Threatened Litigation Regarding Law Enforcement Activities in Lea County, as Authorized by NMSA 1978 Section 10-15-1 H (7) The motion was seconded by Commissioner Weber. The meeting reconvenes at 1:20 p.m.

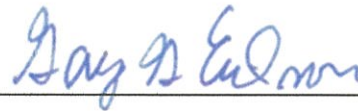
ITEM 06: NO OTHER BUSINESS

ADJOURN: 1:21 P.M

BOARD OF COUNTY COMMISSIONERS
LEA COUNTY, NEW MEXICO



Dean Jackson, Chair



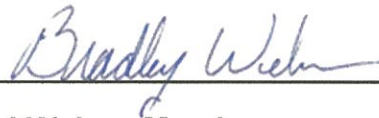
Gary G. Eidson, Vice Chair



Jonathan Sena, Member



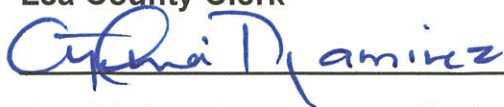
Pat Sims, Member



Brad Weber, Member

ATTEST: Keith Manes

Lea County Clerk



Cynthia Ramirez, Deputy Clerk

