

**Minutes of Meeting
Lea County Board of Commissioners
November 03, 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, and 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-NOV-252R Approving the October 20, 2022 Regular Meeting Minutes.

Chair Jackson requested approval. Commissioner Long moved to approve Resolution No. 22-NOV-252R Approving the October 20, 2022 Regular 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Public Comments
 - Nick Maxwell wanted to reiterate his concerns of the county contracts approved at the October 22, 2022 meeting. He voiced his concerns about the manager's contract giving him much better benefits than the employees. He also stated that County Manager Gallagher can accrue and sell his sick leave back to the county, however, county employees can't.
 - He still feels that the employee rights are violated by not being able to carry firearms to protect themselves.
- Commissioner and Manager Comments:
 - Chair Jackson – Stated that it was good to see everyone at the meeting. He also stated that we had a good turn out at all the Halloween events scheduled by the County.
 - Vice Chair Eidson – Welcomed Faith, Luis, Edgar and Zach Souter to the meeting.
 - Commissioner Sena – Introduced three students, Faith Vine, Luis and Edgar Mendoza. He praised them on their accomplishments in school and community.

- Commissioner Sims – Noted the big crowd and requested they all vote and asks their friends to vote.
- Commissioner Long – Said she was happy to see everyone at the meeting.
- Manager Gallagher – Stated the he wanted to remind everyone about the open house at the Event Center November 10, 2022. He asked everyone to attend and give their concerns and opinions about the project.

- Consideration of Lea County Resolution No. 22-NOV-253R Amending Lea County Resolution No. 22-SEP-203R Approving the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2023. *(Lea County Community Engagement Manager Stout-Brito)*

Lea County Community Engagement Manager Stout-Brito requested approval. Commissioner Sims moved to approve Resolution No. 22-NOV-253R Amending Lea County Resolution No. 22-NOV-253R Approving the Lea County Board of County Commissioners Meeting Dates for Calendar Year 2023. The motion was seconded by Commissioner Long. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

ITEM 02: ACTION ITEMS

- Consideration of Approval of Lea County Resolution No. 22-NOV-254R Approving Recommendation from the Lea County Fair and Rodeo Board to Award Proposal No. 02 2022 – 2023 Amusement Provider for Lea County Fair and Rodeo to Wright's Outdoor Amusement Company for the 2023 Lea County Fair and PRCA Rodeo. *(Larry Wheeler, Chair, Fair and Rodeo Board)*

Fair and Rodeo Chair Wheeler requested approval. Commissioner Sims moved to approve Resolution No. 22-NOV-254R Approving Recommendation from the Lea County Fair and Rodeo Board to Award Proposal No. 02 2022 – 2023 Amusement Provider for Lea County Fair and Rodeo to Wright's Outdoor Amusement Company for the 2023 Lea County Fair and PRCA Rodeo. The motion was seconded by Commissioner Long. Chair Jackson commented that Wright's is doing an excellent job and keeps their equipment much cleaner than the ones in the past. He then asked if

there were any public or commissioner comments concerning this agenda item. Commissioner Sena said his daughter loved the carousel. Commissioner Siims commented on the ticket sales. 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-NOV-255R Approving Recommendation from the Lea County Fair and Rodeo Board to Award Proposal No. 03 2022 – 2023 Stock Contractor for Lea County Fair and Rodeo to Pete Carr, Carr Pro Rodeo, Ltd. for the 2023 Lea County Fair & PRCA Rodeo. *(Larry Wheeler, Chair, Fair and Rodeo Board)*

Fair and Rodeo Chair Wheeler requested approval. Commissioner Sims moved to approve Resolution No. 22-NOV-255R Approving Recommendation from the Lea County Fair and Rodeo Board to Award Proposal No. 03 2022 – 2023 Stock Contractor for Lea County Fair and Rodeo to Pete Carr, Carr Pro Rodeo, Ltd. for the 2023 Lea County Fair & PRCA Rodeo. The motion was seconded by Commissioner Long. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-NOV-256R Approving a Recommendation from the Lea County Fair & Rodeo Board for Authorizing Out of State Travel November 28 - December 1, 2022 to Las Vegas, Nevada for Two (2) Fair and Rodeo Board Members to Attend the 2022 Professional Rodeo Cowboys Association (PRCA) National Convention. *(Larry Wheeler, Chair, Fair and Rodeo Board)*

Fair and Rodeo Chair Wheeler requested approval. Commissioner Sims moved to approve Resolution No. 22-NOV-256R Approving a Recommendation from the Lea County Fair & Rodeo Board for Authorizing Out of State Travel November 28 - December 1, 2022 to Las Vegas, Nevada for Two (2) Fair and Rodeo Board Members to Attend the 2022 Professional Rodeo Cowboys Association (PRCA) National Convention. The motion was seconded by Commissioner Long. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

- Consideration of Lea County Resolution No. 22-NOV-257R Approving the Publication of Notice of Hearing to Adopt an Ordinance Requiring Compliance with Federal Laws Governing Abortion. (*John W. Caldwell, County Attorney*)

Attorney Caldwell requested approval. Commissioner Sims moved to approve Resolution No. 22-NOV-257R Approving the Publication of Notice of Hearing to Adopt an Ordinance Requiring Compliance with Federal Laws Governing Abortion. The motion was seconded by Vice Chair Eidson. Chair Jackson asked if there were any public or commissioner comments concerning this agenda item.

Commissioner Sena wanted to express that even though we may have different views, remember we are a county that cares, loves and supports everyone.

Commissioner Sims commented on the fact that the Hobbs Hospital doesn't have an OB, yet there's people that want to have an abortion clinic here.

Lori Bova advocated for life, and stated that at this time abortion on demand is legal in NM. She also stated that a minor doesn't have to have their parent's consent. She also stated that 6,000 abortions were performed in New Mexico in the years of 2018 & 2019.

David Gallegos reference his encounter with a 102-year-old holocaust survivor. He also spoke of the supposed safe havens in NM and stated that New Mexico as a whole, besides our leaders want to save lives. Nick Maxwell stated that he supported an Abortion Ordinance, but stated this ordinance did not have teeth and he would like to see one that could be enforced with jail time. He suggested that we use the repealed state statute as a template for our ordinance.

Attorney Caldwell stated that we are a "Dillion Rule" county and that we can only enforce what the state allows us to. State law prohibits us from becoming a "Home Rule" county. He also stated that unlike Hobbs, we do not have business licenses.

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-NOV-258R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley in Payton Addition, Monument Subdivision, Block 3, Being Between 8th Street and Macarthur Street in Section 29, Township 19

South, Range 37 East N.M.P.M. in Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reid requested approval. Vice Chair Eidson moved to approve Resolution No. 22-NOV-258R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley in Payton Addition, Monument Subdivision, Block 3, Being Between 8th Street and Macarthur Street in Section 29, Township 19 South, Range 37 East N.M.P.M. in Lea County, New Mexico. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

• Consideration of Lea County Resolution No. 22-NOV-259R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley and Street in Payton Addition, Monument Subdivision, Blocks 12 and 21 With Their Portion of 7th Street, Being Between Eaves Street and Cook Street in Section 29, Township 19 South, Range 37 East N.M.P.M. in Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reid requested approval. Vice Chair Eidson moved to approve Resolution No. 22-NOV-259R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley and Street in Payton Addition, Monument Subdivision, Blocks 12 and 21 With Their Portion of 7th Street, Being Between Eaves Street and Cook Street in Section 29, Township 19 South, Range 37 East N.M.P.M. in Lea County, New Mexico. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

• Consideration of Lea County Resolution No. 22-NOV-260R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley in Camino Del Norte Subdivision, Block 12 in Section 33, Township 17 South, Range 38 East N.M.P.M. in Lea County, New Mexico. *(Bruce Reid, County Planner)*

County Planner Reid requested approval. Vice Chair Eidson moved to approve Resolution No. 22-NOV-260R Appointing a Freeholders Committee to Evaluate the Vacation of a Dedicated Alley in Camino Del Norte Subdivision, Block 12 in Section 33, Township 17 South, Range 38

East N.M.P.M. in Lea County, New Mexico. 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, yes; Commissioner Sena, yes; Commissioner Sims, yes; Commissioner Long, yes. The motion passed.

ITEM 03: DISCUSSION ITEMS

- Discussion of Amendment to Lea County Ordinance No. 95 An Ordinance Governing Nuisances Repealing and Superseding Ordinance No. 95 Dated July 25, 2019. *(Corey Needham, Assistant County Manager)*
 - Discussed the need to update Ordinance No. 95 to separate the Notice of Violation and the Notice to Abate to give the owner time to clean up and be compliant.
 - Discussion of Lea County Ordinance - County Addressing. *(Corey Needham, Assistant County Manager)*
 - Discussed the need to update all Lea County addresses that are, out of order, not the same as the postal address, etc. This ordinance would give them the authority to do this.
- Discussion of Lea County Ordinance – Mobile/Manufactured Home Placement/Transport. *(Corey Needham, Assistant County Manager)*
 - Discussed the fact that there are no current ordinances for the moving or placing of mobile homes in the county. This ordinance would give Lea County Environmental the ability to charge non-compliance of the placement and moving of mobile homes. It would also be easier for the Treasurer's Office to collect taxes since mobile homes are personal property, not real property. The application should only delay the moving of the mobile home by two weeks or less.
- Discussion of Lea County's Financial Report. *(Chip Low, Finance Director)*
 - Discussed the year to date revenue, showing we are ahead by approximately \$50,000,000.00.
 - Manager Gallagher explained the Indigent GRT and the Destination tax.

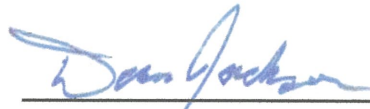
- Discussion of Lea County's Accounts Payable. (*Chip Low, Finance Director*)
 - Discussed the new accounts payable software and the new procurement card register.

ITEM 04: OTHER BUSINESS

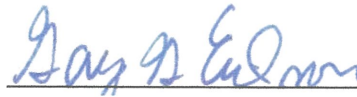
There was no other business.

Meeting adjourned at 10:10 a.m.

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



Dean Jackson, Chair



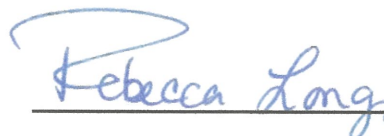
Gary G. Eidson, Vice Chair



Jonathan Sena, Member



Pat Sims, Member



Rebecca Long, Member

ATTEST: Keith Manes
Lea County Clerk



Tryon Hassen, Chief Deputy Clerk

