

**AMENDED (06/11/2018 2:00 P.M) AGENDA FOR SPECIAL MEETING
FOR THE BOARD OF DIRECTORS OF THE
EDDY-LEA ENERGYALLIANCE**

Friday, June 15, 2018 9:00 A.M.

City of Hobbs – City Commission Chambers- 200 East Broadway Street, Hobbs, New Mexico 88240

- | | |
|---|-------------------|
| 1. Call to Order | <i>Chairman</i> |
| 2. Roll Call to Establish a Quorum | <i>Chairman</i> |
| 3. Approval of the Minutes from 3-26-2018 | <i>Action</i> |
| 4. Financial Report – Chip Low | <i>Discussion</i> |
| 5. Approval of Accounts Payable | <i>Action</i> |
| 6. Discussion of Status of Lea County as Fiscal Agent & Custodian of Records | <i>Discussion</i> |
| 7. Approval of Regular Meeting Calendar | <i>Action</i> |
| 8. Approval of Meeting Locations | <i>Action</i> |
| 9. Discussion of Outside General Counsel | <i>Discussion</i> |
| 10. Approval of Temporary General Counsel | <i>Action</i> |
| 11. Web Page Update – Lea County | <i>Discussion</i> |
| 12. Holtec Update – John Heaton & Board members | <i>Discussion</i> |
| a. NRC Scoping Meetings | |
| 13. Approval of Hiring Lobbyist for ELEA | <i>Action</i> |
| 14. Discussion of ELEA Member Financial/Other Contributions to ELEA | <i>Discussion</i> |
| 15. Executive Session | <i>Closed</i> |
| The Governing Board may convene in closed session to discuss threatened litigation concerning administrative procedures and the acquisition and disposal of real property in west Lea County, as permitted by 10-15-1 H. (7) and (8), respectively. | |
| 16. Approval of Lease/Contract with Dawson Geophysical Company for 3D Geophysical survey on Property. | <i>Action</i> |
| 17. Approval 2013 Annual Open Meetings Act Resolution | <i>Action</i> |
| 18. Approval 2014 Annual Open Meetings Act Resolution | <i>Action</i> |
| 19. Approval 2015 Annual Open Meetings Act Resolution | <i>Action</i> |
| 20. Approval 2016 Annual Open Meetings Act Resolution | <i>Action</i> |
| 21. Approval 2017 Annual Open Meetings Act Resolution | <i>Action</i> |
| 22. Approval of Disclosure Forms. | <i>Action</i> |
| 23. Election of Officers | <i>Action</i> |
| 24. Public Comment (Limited to 3 minutes) | |
| 25. Adjournment | |

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Lea County Manager's office located in the Lea County Courthouse in Lovington, New Mexico at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Lea County Manager's Office at the Lea County Courthouse if a summary or other type of accessible format is needed.

ELEA Meeting
March 26, 2018
EDC of Lea County offices

Members Attending: Sam Cobb, Susan Crockett, Ron Black, Johnny Cope (phone), John Heaton

Advisors present: Chip Low, Mike Stone, John Caldwell

Others in attendance: Nick Maxwell-Lea County, Nicholas King-Eddy County, Patricia Cardona-Sierra Club, Lon Burnam-Fort Worth, Lorraine Villegas-Hobbs, Gene Harbaugh-Carlsbad

Meeting was called to order at 8:01 AM by John Heaton.

Approval of the Agenda: Motion by Sam Cobb, second by Susan Crockett. Motion passed unanimously.

Approval of minutes: Motion by Sam Cobb with a correction of the February 28th minutes to reflect correct date of Feb 8, 2018. Seconded by Ron Black. Motion passed unanimously.

Financials: Chip Low presented financials. Expenses included \$31.53 on supplies, \$27.72 on insurance, \$5,321.25 on an audit fee from 6/30/17 audit. Remaining cash balance is \$87,955.98.

Accounts payable: Chip low presented the accounts payable expressed above as well as the audit fee/invoice.

A motion to approve the accounts payable was made by Sam Cobb. Seconded by Susan Crockett. Motion passed unanimously.

Approval of the budget: Budget projected income was \$11,547. Expenses are increased for travel and per diem amounts due to attendance at NRC hearings and future outreach by board members . Budget included \$20,000 for legal fees, \$22,000 in contract labor and services, \$4,000 for the audit, and the rest for website development.

Susan Crockett asked if the website had a set amount required. John Heaton stated the website was being handled by Steve Vierck, John Waters, and Holtec and the estimated cost was \$15,000.

A motion to approve the budget was made by Sam Cobb. Seconded by Johnny Cope. Motion passed unanimously.

Request of Lea County to remain Fiscal Agent: John Heaton proposed a letter thanking Lea County for being our fiscal agent as well as our depository for records. The letter requested Lea County to continue as our fiscal agent and record depository. Letter included in the packet. The letter praised LC's work and Chip Low's activities.

Ron Black asked for the letter to be included in the Lea County Commission agenda as an action item and be approved.

A motion to approve the letter was made by Sam Cobb and seconded by Susan Crockett. Motion passed unanimously.

Johnny Cope noted that he is moving back to Ruidoso and plans to attend future meetings in person unless some unforeseen reason occurred.

Amending OMA Resolution: John Heaton noted the desire to amend the Open Meeting Act resolution from 72 hours notification to a more appropriate and longer period of time. He then asked legal counsel to advise.

Mr. Caldwell spoke of “reasonable” statute. The agenda must be posted 72 hours prior to meeting. Better practice suggests 7 days. He said the Attorneys for our four Members suggested 10 days in advance.

John Heaton suggested they adopt the Open Meeting Act with an amendment of 10 days and that everyone sign, date and note their vote for the new amendment.

Mr. Cope questioned the lengthy period and what conflict it would create if some emergency needed to be responded. John Heaton mentioned special meeting conditions existed in the OMA allowing for shorter notification in emergencies. Mr. Caldwell noted there could be a 3 day lead time in special circumstances. Sam Cobb mentioned work sessions could occur with only 72 hours notice, but no voting could occur at such a session. Mr. Stone agreed exceptions existed for special emergencies, and ELEA could call a special meetings where decisions could be made through voting with 72 hours notice.

Motion was made by Ron Black, seconded by Susan Crockett to amend the ELEA OMA resolution to extend the meeting notification period to 10 days. The motion passed unanimously.

Caldwell noted that they are only amending the previous OMA resolution that was passed it at the last meeting. However, he agreed that it would be better if everyone signed the new amended version with how they cast their vote.

IPRA Request: Chip Low had no new updates. John Heaton noted Nick Maxwell had filed a formal complaint with the attorney general and ELEA must respond by April 6th.

Website update: There were no updates.

Holtec Update: No updates. John Heaton mentioned Holtec had done a few presentations at the Waste Management Symposium in Phoenix.

Meeting was adjourned at 8:30 AM by John Heaton.