

Eddy-Lea Energy Alliance
Regular Meeting of the Board of Directors
Wednesday, March 9, 2022, 9:00 a.m.
Eddy County Commission Chambers – 101 W. Greene, Carlsbad, NM 88220

Board members present:

Wes Carter (New Board Member-City of Carlsbad)
John Heaton (Member-City of Carlsbad & Chairman)
Sam Cobb (Member-City of Hobbs)
Finn Smith (Member-City of Hobbs) – via video
Susan Crockett (Member-Eddy County) – via telephone
Jonathan Sena (Member- Lea County) – via video

Board members absent:

Steven McCutcheon (Member-Eddy County)
Mike Gallagher. (Member-Lea County)

Administrative staff present:

Melissa Salcido – (Director of Finance, Carlsbad)
Denise Madrid Boyea (General Counsel/City of Carlsbad Attorney)

Also Present:

Julia Heaton
Alan Davis
Nick Maxwell
Beverly King

The meeting was called to order by John Heaton.

Roll call was taken and a quorum was established.

Approval of Minutes of Meeting of December 15, 2021.

The Minutes of the Regular Meeting of December 15, 2021, was presented. A Motion was made by Mr. Sena to approve the Minutes of the Meeting of December 15, 2021. Motion was seconded by Mr. Cobb. The vote: Wes Carter for Carlsbad voted yes; Sam Cobb for Hobbs voted yes; Susan Crockett for Eddy

County voted yes; and Jonathan Sena for Lea County voted yes. No one voted no. No one abstained.

Director/Staff comments:

Mr. Heaton discussed legislative bills that were presented to the New Mexico Senate and House involving the interim storage of nuclear materials. Both bills never made it to a vote, but will likely be brought up in the future. Mr. Heaton also discussed legislation being introduced in the U.S. Congress by NM Congressional members that would prohibit federal money from being used for an interim storage facility for nuclear waste. Mr. Heaton stated that thirty-nine states have storage problems and he believes those states will not support the proposed federal legislation. Mr. Heaton discussed the lobbying team in Washington D.C. Mr. Sena thanked Mr. Heaton and asked if Holtec is ready for Phase 1. Mr. Heaton stated as soon as Holtec receives its license it should be ready to start the project and the license should be issued by July, 2022.

Discussion of Financial Report:

Ms. Melissa Salcido reported on the financials for the period ending December, 2021. Ms. Salcido reported there was a beginning cash balance of \$31,970 and an ending cash balance of \$103,323. ELEA received \$100,000 from member contributions. ELEA is budgeted to receive \$11,000 for the land lease. The expenditures of \$35,810 are \$84,190 favorable to the budget of \$120,000 and 20% below target. During FY22, Ms. Salcido reported the amounts paid to Montgomery & Andrews, WEX Bank, Berkley Insurance Company and Montgomery Agency.

Approval of Accounts Payable:

Ms. Salcido discussed the one account payable due to Montgomery & Andrews for lobbying services. Motion was made by Mr. Carter to approve the account payable and due to Montgomery & Andrews. Motion was seconded by Mr. Cobb. The vote: Wes Carter for Carlsbad voted yes; Sam Cobb for Hobbs voted yes; Susan Crockett for Eddy County voted yes; and Jonathan Sena for Lea County voted yes. No one voted no. No one abstained.

Approval of Open Meeting Resolution for 2022-2023.

Ms. Madrid Boyea discussed the Open Meeting Act Resolution for 2022. Motion made by Mr. Cobb to approve the Open Meeting Resolution for 2022. Motion

was seconded by Mr. Sena. The vote: Wes Carter for Carlsbad voted yes; Sam Cobb for Hobbs voted yes; Susan Crockett for Eddy County voted yes; and Jonathan Sena for Lea County voted yes. No one voted no. No one abstained.

Public Comments:

Mr. Maxwell made comments.

Adjournment:

The meeting was adjourned at 9:21 a.m.

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**Eddy-Lea Energy Alliance
Regular Meeting of the Board of Directors
Wednesday, June 8, 2022, 9:00 a.m.**

Hobbs City Commission Chambers – 200 East Broadway Street, Hobbs, NM

Board members present:

John Heaton (Member-City of Carlsbad)

Sam Cobb (Member-City of Hobbs)

Jonathan Sena (Member-Lea County-by phone starting at 9:07 a.m.)

Susan Crockett (Member-Eddy County–by phone)

Board members absent:

Wes Carter (Member-City of Carlsbad)

Steven McCutcheon (Member-Eddy County)

Mike Gallagher (Member-Lea County)

Finn Smith (Member-City of Hobbs)

Administrative staff present:

Melissa Salcido (City of Carlsbad-Finance Director)

Denise Madrid Boyea (General Counsel/City of Carlsbad City Attorney)

Molly Maldonado (Hobbs City Clerk)

Others present:

Farley Vener, CPA-Auditor–Hinkle & Landers, PC

Nick Maxwell

The meeting was called to order by John Heaton at 9:00 a.m.

Roll call was taken. A quorum was established.

Approval of the Minutes from March 9, 2022:

Sam Cobb moved to approve the minutes from the March 9, 2022 regular meeting. The motion was seconded by Susan Crockett. The vote: Susan Crockett for Eddy County, yes; John Heaton for City of Carlsbad, yes; Sam Cobb for City of Hobbs, yes. Jonathan Sena for Lea County, absent. The Motion passed.

Director/Staff comments:

Sam Cobb asked Mr. Heaton to comment on a letter from the National Regulatory Commission. John Heaton briefly discussed the NRC letter regarding the Environmental Impact Statement anticipated in July, 2022 and the Safety Evaluation Report anticipated in December, 2022 or January, 2023; thereafter, there is a 30 day waiting period before issuance of a license.

Financial Report:

Melissa Salcido presented a Financial Report for the period ending March 9, 2022.

Approval of Accounts Payable:

Melissa Salcido presented the accounts payable. Jonathan Sena moved to approve the Accounts Payable. The motion was seconded by Susan Crockett. The vote: Susan Crockett for Eddy County, yes; Jonathan Sena for Lea County, yes; John Heaton for City of Carlsbad, yes; Sam Cobb for City of Hobbs, yes. The Motion passed.

Auditor's Report:

Farley Vener, CPA, an auditor employed by Hinkle & Landers, PC, presented his independent audit report for the year ended June 30, 2021. He stated this was his first year to conduct an audit or ELEA and it was an unmodified or clean audit. Sam Cobb moved to approve the audit report for the year ended June 30, 2021. The motion was seconded by Jonathan Sena. The vote: Susan Crockett for Eddy County, yes; Jonathan Sena for Lea County, yes; John Heaton for City of Carlsbad, yes; Sam Cobb for City of Hobbs, yes. The Motion passed.

Election of Officers:

John Heaton nominated a slate of officers as follows: Wes Carter, Treasurer, Susan Crockett, Secretary, John Heaton, Vice-Chairman and Sam Cobb Chairman. Jonathan Sena made a motion to accept the slate of officers as nominated by John Heaton. Susan Crockett seconded the Motion. The vote: Susan Crockett for Eddy County, yes; Jonathan Sena for Lea County, yes; John Heaton for City of Carlsbad, yes; Sam Cobb for City of Hobbs, yes. The Motion passed. The officers elected beginning July 1, 2022 are as follows:

Chairman—Sam Cobb

Vice Chairman—John Heaton.

Secretary—Susan Crockett

Treasurer—Wes Carter

Public Comments:

Nick Maxwell made comments.

Adjournment:

The meeting was adjourned at 9:20 a.m.

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**Eddy-Lea Energy Alliance
Regular Meeting of the Board of Directors
Wednesday, December 14, 2022, 9:00 a.m.
Lea County Historic Courthouse - Commission Council Chambers
100 N. Main, Lovington, NM 88260**

Board members present:

Sam Cobb (Member-City of Hobbs)
John Heaton appeared remotely (Member-City of Carlsbad)
Susan Crockett appeared remotely (Member-Eddy County)
Jonathan Sena (Member-Lea County)

Board members absent:

Finn Smith (Member-City of Hobbs)
Wes Carter (Member-City of Carlsbad)
Steven McCutcheon (Member-Eddy County)
Mike Gallagher (Member-Lea County)

Administrative staff present:

Melissa Salcido (ELEA Fiscal Agent & City of Carlsbad Finance Director)
Denise Madrid Boyea (ELEA General Counsel & City of Carlsbad City Attorney)
Ke'onna Yates (Lea County Executive Coordinator for Mike Gallagher)
David Kline (Lea County IT)
Angelina Pacheco (Lea County IT)

Others present:

Nick Maxwell (Citizen)
Danny Berry (Citizen)

Call to Order:

The meeting was called to order by S. Cobb.

Roll Call and Quorum:

S. Crockett called Roll. A quorum of voting members was established.

Approval of Agenda:

J. Sena moved to approve the Agenda. The motion was seconded by S. Crockett. The vote was as follows: S. Cobb for Hobbs, yes; J. Heaton for Carlsbad, yes; J. Sena for Lea County, yes; and S. Crockett for Eddy County, yes. No one voted no. Absent: F. Smith, W. Carter, S. McCutcheon and M. Gallagher. The Motion passed.

Approval of the Minutes of the ELEA Regular Meeting held September 14, 2022:

J. Sena moved to approve the minutes of the ELEA regular meeting held September 14, 2022. The motion was seconded by J. Heaton. The vote was as follows: S. Cobb for Hobbs, yes; J. Heaton for Carlsbad, yes; J. Sena for Lea County, yes; and S. Crockett for Eddy County, yes. No one voted no. Absent: F. Smith, W. Carter, S. McCutcheon and M. Gallagher. The Motion passed.

Director/Staff comments:

J. Heaton briefly discussed the Nuclear Regulatory Commission (NRC) moved the Safety Evaluation Report from January to February, 2023, as the only change. The final Environmental Impact statement is issued. Members of the legislature have been taken to a site in Missouri to view a storage facility there as well as one in California and the members were quite impressed by the facilities, according to what was reported to J. Heaton. The New Mexico legislature will meet starting the third Tuesday in January and there will be legislation opposing the project. J. Heaton encouraged all to view what is going on and understand and help with the legislature.

S. Cobb stated he attended an exit audit with the auditors and there were no findings. Melissa Salcido did an excellent job. Approval of the Audit will be on the agenda for the next meeting.

Discuss Correspondence from NRC to Holtec:

J. Heaton stated there were two late filings and NRC has responded to all comments made by the public. One comment was from the Nuclear Energy Institute and was positive. The other comment was from Don Hancock who basically brought up every issue raised by others. The NRC completed responses to everyone who commented.

Financial Report by Melissa Salcido:

M. Salcido presented a Financial Report for the period as of September, 2022, the third period of Fiscal Year 2023. J. Heaton asked about the member who has not paid this year's annual contribution. M. Salcido said she is awaiting a check from Eddy County who

received a late Invoice because its Commission needed to approve the expenditure. S. Crockett said she would follow up with Eddy County.

Approval of Accounts Payable:

M. Salcido presented the expenses paid during her financial report. J. Sena moved to approve the payment of expenses. The motion was seconded by J. Heaton. The vote was as follows: S. Cobb for Hobbs, yes; J. Heaton for Carlsbad, yes; J. Sena for Lea County, yes; and S. Crockett for Eddy County, yes. No one voted no. Absent: F. Smith, W. Carter, S. McCutcheon and M. Gallagher. The Motion passed.

Public Comments:

Nick Maxwell thanked the Commission for recording the meeting.
Danny Berry asked about the project and S. Cobb responded.
No other citizens made comments.
No comments were submitted via email.

Adjournment:

The motion was made by J. Sena and seconded by J. Heaton to adjourn.
The vote was as follows: S. Cobb for Hobbs, yes; J. Heaton for Carlsbad, yes; J. Sena for Lea County, yes; and S. Crockett for Eddy County, yes. No one voted no. Absent: F. Smith, W. Carter, S. McCutcheon and M. Gallagher. The Motion passed.

Approved:
