

**MINUTES OF A REGULAR MEETING OF THE EDDY-LEA ENERGY ALLIANCE
June 16, 2021, AT 9:00 A.M., IN THE HOBBS CITY HALL, COMMISSION
CHAMBERS, IN HOBBS, NM**

VOTING MEMBERS PRESENT:	SAM COBB	CITY OF HOBBS
	FINN SMITH	CITY OF HOBBS
	JASON SHIRLEY	CITY OF CARLSBAD
	JOHN HEATON	CITY OF CARLSBAD
	JONATHAN SENA	LEA COUNTY
	SUSAN CROCKETT	EDDY COUNTY
	JACK VALPATO	EDDY COUNTY

VOTING MEMBERS ABSENT:	MIKE GALLAGHER	LEA COUNTY
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OTHERS PRESENT:	CHRISTA BELYEU	CITY OF HOBBS
	WENDY AUSTIN	CITY OF CARLSBAD
	JOHN WATERS	CARLSBAD DOD
	DENISE MADRID BOYEA	GENERAL COUNSEL
	NICK MAXWELL	CITIZEN

1. Call to Order.

Sam Cobb called the meeting to order.

2. Roll Call and Determination of a quorum.

Susan Crockett called roll. A quorum was established.

3. Approval of Minutes of the Regular Meeting held 3/10/2021.

Motion: The Motion was made by John Heaton and seconded by Susan Crockett to approve the Minutes of the Regular Meeting held on 3/10/2021. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

4. Approval of Minutes of the Special Meeting held 4/21/2021.

Motion: The Motion was made by John Heaton and seconded by Jonathan Sena to approve the Minutes of the Special Meeting held on 4/21/2021. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

5. Directors or Staff Comments.

John Heaton gave an update on the environmental assessment that will probably be completed by the year's end.

6. Financial Report.

Wendy Austin, as fiduciary officer, gave a financial report.

7. Approval of Accounts Payable.

Motion: The Motion was made by John Heaton and seconded by Susan Crockett to approve the accounts payable presented by Wendy Austin. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

8. Election of Officers.

Motion: The Motion was made by Jason Shirley and seconded by Jonathan Sena to nominate John Heaton for **Chairperson**. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

Motion: The Motion was made by Jonathan Sena to nominate Sam Cobb for **Vice Chairperson**. Sam Cobb declined the nomination. Motion. The Motion was made by Sam Cobb and seconded by Jonathan Sena to nominate Finn Smith as Vice Chairperson. Vote. The vote was as follows: Yes - Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

Motion. The Motion was made by Sam Cobb and seconded by Jonathan Sena to retain Susan Crockett as **Secretary**. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena; No – None; Absent – Mike Gallagher; Abstain – Susan Crockett. Motion carried.

Motion. The Motion was made by Sam Cobb and seconded by John Heaton to retain Jack Volpato as **Treasurer**. Vote. The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

9. Approval of Errors and Omissions Insurance for the Board.

Motion. The Motion was made by John Heaton and seconded by Susan Crockett to approve a Request for Proposal process to seek insurance coverage for the board and present the bids for approval at the next regular meeting. Vote. The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Sam Cobb; No – None; Absent – Mike Gallagher. Motion carried.

10. Approval of Amendments to Open Meeting Act Requirements and Procedures.

Motion was made by Jason Shirley and seconded by Jonathan Sena to approve changes to the Open Meetings Act Requirements and Procedures. Vote. The vote was as follows: Yes – Jonathan Sena, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

11. Public Comments.

Nick Maxwell made public comments.

12. Adjourn.

Motion. The Motion was made by Jason Shirley and seconded by Jonathan Sena to adjourn. The vote – Yes – Jonathan Sena, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Mike Gallagher. Motion carried.

Chairman

**MINUTES OF A REGULAR MEETING OF THE EDDY-LEA ENERGY ALLIANCE
September 15, 2021, AT 8:30 A.M., IN THE CARLSBAD COUNCIL
CHAMBERS, IN CARLSBAD, NM**

MEMBERS PRESENT: SAM COBB (via phone) CITY OF HOBBS
 FINN SMITH (via phone) CITY OF HOBBS
 JASON SHIRLEY CITY OF CARLSBAD
 JOHN HEATON CITY OF CARLSBAD
 JONATHAN SENA LEA COUNTY
 MIKE GALLAGHER LEA COUNTY
 SUSAN CROCKETT EDDY COUNTY

MEMBERS ABSENT: STEVEN MCCUTCHEON EDDY COUNTY

OTHERS PRESENT: M. FLETCHER CITY OF CARLSBAD
 M. SALCIDO CITY OF CARLSBAD
 E. RODRIGUEZ CITY COUNCILOR
 W. HATFIELD CITY OF CARLSBAD
 C. GARCIA CITY OF CARLSBAD
 B. GRIFFITH CITY OF CARLSBAD
 D. MADRID BOYEA GENERAL COUNSEL
 J. WATERS CARLSBAD CDOD
 J. VOLPATO

1. Call to Order.

John Heaton called the meeting to order.

2. Roll Call and Determination of a quorum.

Susan Crockett called roll. A quorum was established.

3. Approval of Minutes of the Regular Meeting held 6/16/2021.

Motion: The Motion was made by Susan Crockett and seconded by Jonathan Sena to approve the Minutes of the Regular Meeting held on 6/16/2021. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – None. Motion carried.

4. Directors or Staff Comments.

John Heaton gave an update on the approval of a license given to WCS and made reference to a law passed in Texas prohibiting transportation of nuclear waste there. Mr. Heaton thanks everyone for cooperating with the IPRA request from the State Land Office. Mr. Heaton stated an environmental EIS and SER could possibly be approved between December 21, 2021 and January 22, 2022, once the EIS and SER are approved and a license recommended. If all is positive, the NRC has 30 days to issue a license.

5. Financial Report.

Melissa Salcido, appearing on behalf of Wendy Austin as fiduciary officer, gave a financial report.

6. Approval of Accounts Payable.

Motion: The Motion was made by Jason Shirley and seconded by Susan Crockett to approve the accounts payable presented by Melissa Salcido. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – None. Motion carried.

7. Approval of IPRA Request.

Mr. Heaton stated there is information we would like to learn about communications between the State Land Office and other State of NM officials regarding titles, leases and communications with Fasken Oil and Ranch. Motion: The Motion was made by Susan Crockett to send the IPRA request to the State Land Office and was seconded by Jonathan Sena to send the State Land Office the IPRA request. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent –None. Motion carried.

8. Report regarding Errors and Omissions Insurance for the Board.

Matt Fletcher, Purchasing Agent for the City of Carlsbad, reported he does not believe the RFP because the annual premiums should be less than \$20,000.00. He explained questionnaires need to be filled out in order to obtain quotes. There was discussion about the cost of coverage. Mr. Fletcher explained the cost depends on how the questionnaires are evaluated and the quotes received. Mr. Heaton explained ELEA currently has general liability coverage on the real estate, but no coverage for the Board members. There was additional discussion about the importance of coverage for the Board and how to go about obtaining coverage.

9. Approval of Correspondence to Sec. Granholm.

John Heaton explained that ELEA has encountered opposition to the Holtec facility by the NM congressional delegation due to the lack of a permanent repository when at the same time the same congressmen voted against approving a permanent repository. Mr. Heaton he is proposing sending a letter to the Secretary of Energy requesting a meeting to be authored jointly by ELEA and Holtec. Motion was made by Jason Shirley to send the proposed letter to Sec. Granholm and seconded by Susan Crockett to approve a letter to be sent to Sec. Granholm, the Secretary of Energy with the US Department of Energy. Vote. The vote was as follows: Yes – Jonathan Sena, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – None. Motion carried.

10. Public Comments.

J. Waters thanked the Board for their work, commented that the Carlsbad Department of Development believes in the project and put down the original deposit. Jonathan Sena thanked Mr. Heaton for his leadership and Denise Madrid Boyea for her professionalism.

11. Adjourn.

Motion. The Motion was made by Susan Crockett and seconded by Jonathan Sena to adjourn. The vote – Yes – Jonathan Sena, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – None. Motion carried.

Chairman

DRAFT

**MINUTES OF A SPECIAL MEETING OF THE EDDY-LEA ENERGY ALLIANCE
NOVEMBER 18, 2021, AT 9:30 A.M., IN THE HOBBS COMMISSION
CHAMBERS, IN HOBBS, NM**

MEMBERS PRESENT: **SAM COBB** **CITY OF HOBBS**
 JASON SHIRLEY **CITY OF CARLSBAD**
 JOHN HEATON **CITY OF CARLSBAD**
 S. CROCKETT (phone) **EDDY COUNTY**

MEMBERS ABSENT: **FINN SMITH** **CITY OF HOBBS**
 JONATHAN SENA **LEA COUNTY**
 MIKE GALLAGHER **LEA COUNTY**

OTHERS PRESENT: **D. MADRID BOYEA** **GENERAL COUNSEL**
 J. FLETCHER **CITY OF HOBBS**
 K. BELYEU **CITY OF HOBBS**
 D. FLETCHER **HOLTEC**
 N. MAXWELL **CITIZEN**

1. Call to Order.

John Heaton called the meeting to order.

2. Roll Call and Determination of a quorum.

John Heaton called roll. A quorum was established.

3. Consider approval of revenue-sharing with the State.

Discussion held by members regarding revenue-sharing with the State of New Mexico.

Motion: The Motion was made by Susan Crockett and seconded by Jason Shirley to approve revenue sharing with the State of New Mexico in the amount of one-third and to authorize John Heaton and Sam Cobb to negotiate the revenue-sharing with the Executive and Legislative branches of the State of New Mexico government. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, and Susan Crockett; No – None; Absent – Jonathan Sena, Mike Gallagher and Finn Smith. Motion carried.

4. Directors or Staff Comments.

None.

5. Public Comments.

None.

6. Adjourn.

Motion. The Motion was made by Susan Crockett and seconded by Jason Shirley to adjourn. The vote – Yes – Jason Shirley, Sam Cobb, and Susan Crockett; No – None; Absent – Jonathan Sena, Mike Gallagher and Finn Smith. Motion carried.

DRAFT

**MINUTES OF A REGULAR MEETING OF THE EDDY-LEA ENERGY ALLIANCE
December 15, 2021, AT 9:00 A.M., IN THE LEA COUNTY COURTHOUSE –
COUNTY COMMISSION CHAMBERS, IN LOVINGTON, NM**

MEMBERS PRESENT:	SAM COBB	CITY OF HOBBS
	FINN SMITH	CITY OF HOBBS
	JASON SHIRLEY (ph)	CITY OF CARLSBAD
	JOHN HEATON	CITY OF CARLSBAD
	JONATHAN SENA	LEA COUNTY
	MIKE GALLAGHER	LEA COUNTY
	SUSAN CROCKETT	EDDY COUNTY

MEMBERS ABSENT: STEVEN MCCUTCHEON EDDY COUNTY

OTHERS PRESENT:	JENNIFER GRASHAM	EDC LEA COUNTY
	M. SALCIDO	CITY OF CARLSBAD
	D. MADRID BOYEA	GENERAL COUNSEL
	J. WATERS	CARLSBAD CDOD
	LANE MARTIN	CARLSBAD ATTORNEY
	BEVERLY KING	LEGAL ASSISTANT

1. Call to Order.

John Heaton called the meeting to order at 9:00 am.

2. Roll Call and Determination of a quorum.

Susan Crockett called roll. A quorum was established.

3. Approval of Minutes of the Regular Meeting held 9/15/2021.

Motion: The Motion was made by Jonathan Sena and seconded by Sam Cobb to approve the Minutes of the Regular Meeting held on 9/15/2021. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – McCutcheon. Motion carried.

4. Approval of Minutes of the Special Meeting held 11/18/2021.

Motion: The Motion was made by Susan Crockett and seconded by Sam Cobb to approve the Minutes of the Special Meeting held on 11/18/2021. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, and Susan Crockett; No – None; Absent – McCutcheon. Abstain – Jonathan Sena. Motion carried.

5. Directors or Staff Comments.

John Heaton gave an update on meetings with New Mexico Legislators, the EIS expected in January, the Safety Evaluation Report expected in February of next year, the issuance of a license for the project about thirty days later and a time frame of March of April to consummate

the agreement. John Heaton also addressed a meeting with the auditor on 12/13/21 for preliminary review; the final review should be completed by March, 2022. Sam Cobb asked about further discussions on revenue-sharing with the State. Mr. Heaton responded that there had been none. Mr. Cobb asked if they need to set up meetings with Legislators during the January legislative session. John Heaton agreed they should get organized to meet with Legislators since the session starts the 3rd week of January and it is only a 30-day session. Jason Shirley discussed attending a reception Holtec held for Legislators and discussed a Bill that could be drafted and the need to meet with Legislators before the session begins. Mr. Shirley mentioned Montgomery and Andrews leading the efforts. Mr. Heaton agreed with Mr. Shirley. Mr. Cobb said we should put a calendar together and set up meetings.

6. Financial Report.

Melissa Salcido gave a financial report.

7. Approval of Accounts Payable.

Motion: The Motion was made by Jonathan Sena and seconded by Susan Crockett to approve the accounts payable presented by Melissa Salcido. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent – Steven McCutcheon. Motion carried.

8. Approval of IPRA Request.

Mr. Heaton stated there is information we would like to learn about communications between the State Land Office and other State of NM officials regarding titles, leases and communications with Fasken Oil and Ranch. Motion: The Motion was made by Susan Crockett to send the IPRA request to the State Land Office and was seconded by Jonathan Sena to send the State Land Office the IPRA request. Vote: The vote was as follows: Yes – Jason Shirley, Sam Cobb, Jonathan Sena and Susan Crockett; No – None; Absent –None. Motion carried.

9. Report regarding Errors and Omissions Insurance for the Board.

Denise Madrid Boyea gave a report regarding the submission of two applications to an insurance agent named Craig Stephens with Montgomery Agency to obtain quotes for Director’s Errors and Omissions coverage.

10. Public Comments.

Danny Fletcher spoke on behalf of Holtec and explained the activities he has been involved in to promote the Holtec project.

11. Adjourn.

Motion. The Motion was made by Sam Cobb and seconded by Jonathan Sena to adjourn. The vote – Yes – Jonathan Sena, Sam Cobb, Jason Shirley and Susan Crockett; No – None; Absent – Steven McCutcheon. Motion carried and meeting adjourned at 9:20 am.

Chairman – John Heaton