



MINUTES OF MEETING OF THE
COMMISSIONERS COURT OF MIDLAND COUNTY, TEXAS

Be it remembered that on Monday the 23rd day of August, 2021 at 9:00a.m a meeting of the Commissioners Court was called to order in the Commissioner Courtroom, located at the Midland County Courthouse, 500 North Loraine Street, Midland, Texas. The following members were present:

Terry Johnson, County Judge;
Scott Ramsey, County Commissioner Precinct No. 1;
Robin Donnelly, County Commissioner Precinct No. 2;
Luis D. Sanchez, County Commissioner Precinct No. 3;
Randy Prude, County Commissioner Precinct No. 4

Recorded by Alison Haley, County Clerk

1. Call to Order.

2. Invocation given by Pastor Ed Mayberry, Community Worship Center.

3. Pledges of Allegiances.

Called item 47

4. Acknowledge retirement of Barbara Duet from Facilities.

Presented by Robert Segura, HR Director.

Motion to acknowledge.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 24
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

5. Acknowledge retirement of Rachel Guebara from District Attorney's Office.

Presented by Laura Nodolf, District Attorney.

Motion to acknowledge.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 25
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

6. Acknowledge July's I.M.P.A.C.T.S. of the Month Honoree, Jamie Swing, from Purchasing.

Presented by Robert Segura, HR Director. Eddie Melendez, Facilities Director read his nomination for Jamie Swing as the IMPACTS honoree.

Motion to acknowledge July's I.M.P.A.C.T.S. of the Month Honoree, Jamie Swing.

Motion by: Sanchez	Second by: Prude	Exhibit: 26
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

7. Acknowledge Commissioner Luis Sanchez for being awarded July's Top 10 Texas Local Officials - Rising LoneStars.

Presented by County Judge Johnson. Commissioner Sanchez thanked everyone that helped.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 27
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

8. Discuss and take action on court minutes from August 9, 2021.

Presented by Alison Haley, County Clerk.

Motion to approve the court minutes from August 9, 2021.

Motion by: Sanchez	Second by: Prude	Exhibit:
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

9. Conduct Public Hearing on Midland County Proposed Budget for FY 2021-2022.

County Judge Johnson announced the public hearing on Midland County Proposed Budget for FY 2021-2022 open. No one came forward. Exhibit: 28-32

10. Receive presentation from Boon-Chapman.

Stacy Minton, Boon-Chapman presented in length the Annual plan and renewals for the Midland County self-funded health plan. Veronica Morales, Auditor asked about the stop loss renewal.

Exhibit: 33-67

11. Discuss and take action on recommendation of health plan for Midland County Employee Benefit plan.

Presented by Stacy Minton, Boon-Chapman. Commissioner Donnelly asked about the maximum deductible. Mitzi Baker, Treasurer reminded the Court of the change to the number of deductions from the employee's pay checks. Veronica Morales, Auditor joined the conversation about the budget numbers. There was a discussion about the cost of Covid testing.

Motion that we move to Express Scripts from Optimum.

Motion by: Donnelly	Second by: Ramsey	Exhibit:
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

12. Discuss and take action on stop loss renewal.

Presented by Stacy Minton, Boon-Chapman.

Motion that we take option 5 and renew with Aetna.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 68-71
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

13. Discuss and take action on insured, carve out organ transplant renewal.

Presented by Stacy Minton, Boon-Chapman.

Motion to renew with TM-HCC with no increase.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 72-75
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

14. Discuss and take action on Vector contract.

Presented by County Judge Johnson and Aubrey Felton, CSE Executive Vice President Vector Fleet Management. Russell Malm, County Attorney stated he had reviewed the amendment to the contract.

Motion that we approve renewing the contract (Vector Fleet Management) with the 5% modifier.

Motion by: Prude	Second by: Donnelly	Exhibit: 76-80
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

15. Receive presentation from Bickerstaff, Health, Delgado, Acosta, LLP.

Presented by David Mendez, Bickerstaff, Heath, Delgado, Acosta, LLP. They did our redistricting back in 2011. The Census had a delayed release due to Covid. Mr. Mendez expressed when they could hold the public hearings on the new redistricting. Stating that the plan could be adopted at the scheduled Commissioners Court meeting on October 25, 2021. Commissioner Prude asked how this would affect the upcoming election for the tax assistance district. Commissioner Donnelly verified that the deadline to adopt is November 12, 2021. Commissioner Sanchez asked if they have all the information they need. Mr. Mendez stated they are ahead of the curve since they drew the lines in 2011.

16. Discuss and take action on revisions to the Midland County Personnel Policy.

Presented by Mitzi Baker, Treasurer. Due to the changes in how we handle comp time and over time and provisions with Covid I went through the personnel policy and have a few things to clean up. Paid quarantine leave was discussed for on duty exposure to covid. HB 2073 went into effect June 15, 2021, in reference to paid quarantine leave. Commissioner Donnelly asked the Treasure to notate the Bill number (HB 2073) showing it is prescribed by that house bill. Mitzi Baker, Treasurer thanked Russell Malm, County Attorney and Robert Segura, HR Director for their help.

Motion approving the revisions to the Midland County Personnel Policy subject to the suggestion of Commissioner Donnelly.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 81-95
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

17. Discuss and take action acknowledging the Treasurer’s Monthly Reports for May and June, 2021.

Presented by Mitzi Baker, Treasurer. These are required by statute.

Motion to acknowledge the Treasurer’s monthly reports for May and June 2021.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 96-105
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

18. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer. All by policy.

Motion to acknowledge the personnel memorandum.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 106
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

19. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. A few were brought to the Courts attention.

Motion to approve line-item transfers.

Motion by: Prude	Second by: Sanchez	Exhibit: 107-128
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

20. Discuss and take action on bills and wire transfers.

Presented by Veronica Morales, Auditor. There were no wire transfers. There were a few exceptions mentioned.

Motion to pay all bills.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 129-138
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

*Take a break at 10:48am
11:05am back into regular session*

21. Discuss and take action on State Case Registry Cooperative Agreement between The Office of Attorney General of the State of Texas and Midland County.

Presented by Alex Archuleta, District Clerk. This is now a 5-year renewal.

Motion to authorize the County Judge to sign the FY 2022-2026 State case registry cooperative agreement between the office of the Attorney General of the State of Texas and Midland County subject to Russell Malm, County Attorneys approval of the contract or his changes.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 139-182
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

22. Discuss and take action rescheduling I.M.P.A.C.T.S. end of year event celebration.

Robert Segura, HR Director suggested canceling the I.M.P.A.C.T.S. end of year event celebration. There was some discussion. Alison Haley, County Clerk joined the conversation.

Motion to delay the I.M.P.A.C.T.S. end of the year celebration.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 183
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

23. Discuss and take action on contract with Sarah Meinzer for counseling and therapy for Drug Court participants.

Presented by Russell Malm, County Attorney for Judge Rainey, Drug Court. This is for participants in the Drug Court.

Motion to approve the contract with Sarah Meinzer for counseling and therapy for the Drug Court participants.

Motion by: Prude	Second by: Sanchez	Exhibit: 184-185
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

24. Discuss and take action on additional funding for CSCD.

Presented by Allen Bell, CSCD Director. State funding only covers 30% of our budget. We currently have a 5% fund balance. Covid-19 had a dramatic effect on our income. Total request of \$280,700.00. Commissioner Ramsey asked Russell Malm, County Attorney if this would be allowed. Mr. Malm stated an interlocal agreement would cover us. County Judge Johnson mentioned using the relief funds the County has received. Commissioner Sanchez asked if Mr. Bell could provide back up for the loss of \$195,000.00 due to Covid. Mr. Bell said he would be able to provide that. Veronica Morales, Auditor answered the Courts questions. There are 2 different requests. The \$195,000.00 for the loss of income due to Covid and \$85,000.00 is requested to offset some of our daily expenses.

Motion that we approve the additional funding for CSCD from the ARPA funds in the amount of \$196,000.00.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 186-189
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

25. Discuss and take action on Notice of Special Constitutional Amendments Election.

Presented by Carolyn Graves, Elections Administrator.

Motion for the Judge to sign the Notice of Election of Special Constitutional Amendments election.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 190-193
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

26. Acknowledge Tax Office Summary of All Collections for July 2021.

Presented by Karen Hood, Tax Assessor Collector.

Motion to acknowledge the Summary of all Collection for July 2021.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 194-195
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

27. Acknowledge Stephanie Davila Hart as Head of Children's and Youth Services.

Presented by Debbie Garza, Library Director.

Motion to acknowledge.

Motion by: Prude	Second by: Sanchez	Exhibit:
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

28. Acknowledge Matthew Glaser as Head of Electronic Resources.

Tabled per Library Director.

29. Acknowledge Electronic Resources Report.

Debbie Garza, Library Director and Ann Rector, Assistant Library Director presented an electronic resources report to the Court.

Motion to acknowledge the electronic resources report.

Motion by: Ramsey	Second by: Prude	Exhibit: 195-217
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Call item 39

*12:03pm break for lunch and return at 1:30pm
1:34pm back into regular session*

30. Discuss and take action on Cloud Library Interlocal Agreement.

Debbie Garza, Library Director stated that Russell Malm, County Attorney has seen the agreement.

Motion authorizing County Judge to sign the Cloudlink Interlocal agreement.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 218-226
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

31. Discuss and take action on out-of-state travel for Debbie Garza and Matthew Glaser to attend Internet Librarian Conference in Monterrey, CA, October 26-28, 2021.

Presented by Debbie Garza, Library Director.

Motion that we approve the out-of-state travel for Debbie Garza and Matthew Glaser to attend Internet Librarian Conference in Monterrey, CA, October 26-28, 2021.

Motion by: Sanchez	Second by: Prude	Exhibit: 227
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

32. Discuss and take action on Texas Book Festival Grant Award for \$2,500.00.

Presented by Debbie Garza, Library Director and Megan Buck Assistant Library Director. Veronica Morales, Auditor mentioned this is for next years budget.

Motion to approve the Texas Book Festival Grant award for \$2,500.00.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 228-229
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

33. Discuss and take action on budget amendment of \$2,500.00 for Texas Book Festival Grant.

Tabled per Auditor.

34. Discuss and take action on Texas State Library and Archives Commission Grant Award for \$55,048.00.

Presented by Megan Buck, Assistant Library Director. This is for a public office space.

Motion to approve accepting the Texas State Library and Archives Commission Grant award for \$55,048.00.

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 230-232
Abstaining:

35. Discuss and take action on budget amendment of \$55,048.00 for Texas State Library and Archives Commission Grant.

Tabled per Auditor.

Call item 37

36. Discuss and take action on additional funding for inmate medical services.

Presented by Sheriff Criner and Lt. Rebecca Patterson. They need an additional \$8,000.00.

Motion that we approve an \$8,000.00 increase in inmate medical services from contingency.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit: 233
Abstaining:

37. Discuss and take action on out-of-state travel for Lieutenant Chris Fuentes and Sergeant Daniel Subia to attend the Law Enforcement Operations Conference & Trade Show for training on the BearCat in Kansas City, MO, September 12-17, 2021.

Presented by Sheriff Criner and Lieutenant Chris Fuentes.

Motion that we approve the out-of-state travel for Chris Fuentes and Daniel Subia.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit: 234-263
Abstaining:

38. Discuss and take action on hotel above rate per diem.

Presented by Sheriff Criner and Lt. Hain.

Motion to approve the above rate per diem for Sgt. Hill.

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit: 264-268
Abstaining:

39. Discuss and take action on donation of 7 Oynx Body Armor Level IIIA and Outer Carrier valued at \$5,225.00 from Apollo Perforators, Inc for Mounted Patrol.

Presented by Sheriff Criner and Apollo Perforators, Inc.

Motion to acknowledge.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 269-272
Abstaining:

40. Discuss and take action on donation in the amount of \$500.00 from Hochheim Prairie Farm Mutual Insurance Association for Mounted Patrol.

Presented by Sheriff Criner.

Motion to acknowledge the donation from Hochheim Prairie Farm Mutual Insurance Association in the amount of \$500.00 to go to Mounted Patrol.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 273-276
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

41. Acknowledge Midland County Sheriff's Office July 2021 Report.

Presented by Sheriff Criner.

Motion to acknowledge the Midland County Sheriff's Office July 2021 report.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 277-283
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

42. Discuss and take action authorizing County Judge to sign Ricoh Lease Agreement.

Presented by Kristy Engeldahl, Purchasing Agent. This is for the Auditors office.

Motion authorizing the County Judge to sign Ricoh lease agreement.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 284-291
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

43. Discuss and take action canceling ACME Lease Agreement.

Presented by Kristy Engeldahl, Purchasing Agent. They would like to issue the notice

Motion to cancel the ACME lease agreement.

Motion by: Sanchez	Second by: Prude	Exhibit: 292
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

44. Discuss and take action authorizing County Judge to sign Capps Rent-A-Car Lease Agreement.

Presented by Kristy Engeldahl, Purchasing Agent.

Motion that we have the County Judge sign Capps Rent-A-Car lease agreement.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 293-297
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

45. Discuss and take action authorizing Andrew Avis to write/manage purchase orders for Law Enforcement Complex project.

Presented by Andrew Avis, Public Works Director.

Motion allowing Andrew Avis to write/manage the PO's for the RFQ for the Law Enforcement Complex.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 298
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Recalled per Veronica Morales, Auditor

Veronica Morales, Auditor asked the Court if they wanted Mr. Avis to have the ability to approve invoices. They said yes.

46. Discuss and take action authorizing County Judge to sign the Enterprise Encroachment Agreements.

Presented by Andrew Avis, Public Works Director. These are both on 1232.

With the caveat that we are going to indemnify only as to the extent of the state of the laws of Texas, I would make the Motion that we approve these two contracts.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 299-322
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

47. Discuss and take action on Final Plat for Cielo Vista Subdivision.

Presented by Ed Aleman, Schumann Engineering Co.

Motion that we approve the plat for Cielo Vista section 2.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 323-324
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Back to item 4

48. Discuss and take action authorizing County Judge to sign letter of direction to Jones Bros. for quality control repairs at Cluster A Project.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize the County Judge to sign the letter of direction to Jones Bros. for quality control repairs at Cluster A Project.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 325-327
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

49. Discuss and take action on change purchase order for Jones Bros. at 1232 Phase II for gates, fences, paving, and pipeline cap quantity changes.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize the change POs for Jones Bros. at 1232 phase II for gates, fences, paving and pipeline cap quantity changes in the amount of \$2,826.35.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 328-329
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

50. Acknowledge check from Oncor.

Presented by Andrew Avis, Public Works Director. Check for \$1,500.00

Motion acknowledging the \$1,500.00 check from Oncor.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 330-332
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

51. Discuss and take action authorizing County Judge to sign closing documents for TWDB Grant.

Presented by Andrew Avis, Public Works Director.

Motion to authorize the County Judge to sign closing documents for TWDB grant.

Motion by: Prude	Second by: Donnelly	Exhibit: 333-339
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

52. Discuss and take action on Interlocal Agreement with the Midland County Utility District concerning the Vander Ranch subdivision.

Presented by Andrew Avis, Public Works Director. Commissioner Donnelly stated the County is only looking at the pavement.

Motion that we approve the interlocal agreement with the Midland County Utility District concerning the Vander Ranch subdivision.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 340-345
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Recall item 45

53. Discuss and take action on MODE Communications Contract(s).

Commissioner Ramsey expressed his concern for the expense of \$57,982.15 for this contract. Commissioner Ramsey stated he has asked for more information in reference to this contract and has not received a good response. The motion was approved for only \$1,500.00 and \$15,000.00 for the chat ap.

First, I make the motion to the County Judge to compel MODE Communication to provide directly to this Court, detailed invoices and backup for all work performed under contract with MODE Communications and second, I make the motion that all contracts with MODE Communications be cancelled as of August 31, giving Mode Communication sufficient time to comply with the first motion.

Motion by: Ramsey	Second by: Prude	Exhibit: 346-424
For: Ramsey, Donnelly, Sanchez, Prude	Against: Johnson	Abstaining:

54. Discuss and take action to manage and reduce the impact of COVID-19 on Midland County operations and employees.

Robert Segura, HR Director expressed a concern on how to handle the increase in Covid-19 the Delta variant cases for Midland County employees. Mr. Segura stated that Midland County has 30 employees that have contracted the Covid Delta virus. County Judge Johnson mentioned we are putting guards back up and encouraging masks. Commissioner Donnelly asked about a sweepstakes for those who get vaccinated. There was some discussion about the most recent vaccine event. Commissioner Ramsey stated that he agrees with Judge Johnson, and we are already doing what we can to help the employees. Mr. Segura stated he will continue to monitor the situation. The shots have been approved by the FDA. Commissioner Sanchez suggested letting the employees know it has been approved. Commissioner Prude asked for the stats to be shared with the public. Exhibit: 425

Item 57 and 58

55. Receive comments and requests from Department Heads and Elected Officials on Midland County Proposed Budget.

56. Discuss and take action on requests from Department Heads and Elected Officials on Midland County Proposed Budget.

Veronica Morales, Auditor discussed the income side of the proposed budget. General fund balance was discussed \$26,522,000.00. We try to keep the fund balance at half of operating expenses. The water source project was mentioned. Health care funds in Risk Management. The proposed sales tax assistance district that could help in the future. Exhibit:

Debbie Garza, Library Director – Additional Passport Clerk at a grade 12 and a Marketing Manager position at a grade 17. There were some paygrade changes for 4 clerks from a grade 11 to a grade 12. Ms. Garza went over the attached hand out and discussed the items highlighted. Discussed moving \$5,000.00 from office supplies to equipment rental.

For Administrative Assistant, Brandi Cisneros increases to a grade 16 step 2, for Library Specialist 3, Jamie Henry increase to a grade 13 step 1, Library Specialist II- Cataloging Specialist and interlibrary loan specialist increase to a grade 12 step 7 that's Dieanna Gonzales, Whitney Riddle increase to a grade 12 step 2, for Sandy Sanchez an increase to a grade 12 step 13, Rebecca Naranjo increase grade to a grade 12 step 9.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 426-428
For: Ramsey, Donnelly	Against: Johnson	Abstaining:
Sanchez, Prude		

Motion to add a new position passport acceptance agent at a grade 12 step 1.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 426-428
For: Ramsey, Donnelly	Against: Johnson	Abstaining:
Sanchez, Prude		

Karen Hood, Tax Assessor Collector – Annual maintenance for Nemo-Q software. \$3,500.00 is being requested. The software was paid for using a specialty fund. This fund is used to fund some salaries and some office equipment and supplies. Mike Atkins, IT Director joined the conversation.

Motion for pay the \$3,500.00 for the Nemo-Q software maintenance out of IT.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 429-430
For: Ramsey, Donnelly	Against: Johnson	Abstaining:
Sanchez, Prude		

Go to Addendum items

**ADDENDUM
MIDLAND COUNTY COMMISSIONERS COURT MEETING
August 23, 2021 on or after 10:15 a.m.**

The following item will also be discussed at the Midland County Commissioners' Court meeting on Monday, August 23, 2021, on or after 10:15 a.m.

1. Discuss and take action on renewal of insurance premiums with USI.

Presented by Rob Pridemore, USI and Ken Colston, Risk Management. Russell Malm, County Attorney joined the conversation. Veronica Morales, Auditor gave the Court some historic numbers for past insurance premiums. Russell Malm, County Attorney explained that there has been an increase in lawsuits filed.

Motion that we take all the travelers' lines, the Sheriffs unit, the Excess crime, the AIG Cyber liability, unless we can find a better home for that, PWPC workers comp, the active assailant from AXA and the \$2,000,000.00 pollution liability with a \$75,000.00 deductible and excess law enforcement for \$75,000.00.

Motion by: Donnelly	Second by: Prude	Exhibit: 431-432
For: Johnson, Donnelly Sanchez, Prude	Against:	Abstaining: Ramsey

2. Discuss and take action on repair estimates for 808 N. Fort Worth.

Presented by Ken Colston, Risk Management. 2 quotes to clean and seal the floor.

Motion to go with Anderson Construction for \$29,425.00.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 433-435
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

3. Acknowledge damage and fleet accident reports for July 2021.

Presented by Ken Colston, Risk Management.

Motion to acknowledge the fleet accident reports for July 2021.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 436-439
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

4. Discuss and take action on court fees for County and District Clerks' Offices

Presented by Alison Haley, County Clerk.

Motion to acknowledge the County and District Clerks' fees for July 2021.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 440-453
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Back to item 55 and 56

Sheriff Criner –

CID Lt. Chris Fuentes stated they only have \$1,598.00 in law enforcement supplies. They would like it increased.

Motion to increase law enforcement supplies 5285 for CID from \$1,598.00 to \$40,000.00 for law enforcement supplies.

Motion by: Sanchez
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Sheriff Criner and Lt. Tommy Davis, Civil and Warrants -4 new positions for Civil and Warrants were approved in the proposed budget and the equipment requested was approved.

Motion that we include \$4,500.00 for desks and chairs under that line item.

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Sheriff Criner wanted to discuss grade increases.

Motion that on Detention Jailers that we increase them the 5% that was proposed (17.1).

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit: 454-460
Abstaining:

Motion to move the Corporals from a grade 17 to an 18 leaving the steps alone.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 454-460
Abstaining:

Motion that we move all sergeants from detention and operations up to a grade 21 leaving the step where it is.

Motion by: Sanchez
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit: 454-460
Abstaining:

Motion for the operations 3 corporals from an 18 grade to a 19 grade, that deputies from a 17 grade to an 18 grade and the investigators from an 18 grade to a 19 grade.

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 454-460
Abstaining:

Motion to recess until 9am tomorrow morning.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit:
Abstaining:

*Recess at 5:10pm until tomorrow morning at 9am
Tuesday, September 24, 2021 at 9:06am back into regular session.*

The following members were present:

Terry Johnson, County Judge;
Scott Ramsey, County Commissioner Precinct No. 1;
Robin Donnelly, County Commissioner Precinct No. 2;
Luis D. Sanchez, County Commissioner Precinct No. 3;
Randy Prude, County Commissioner Precinct No. 4

Commissioner Donnelly asked the Auditor where the CTIF funds are in the budget. Veronica Morales, Auditor stated the CTIF refund would not go into the general fund. A separate fund will be created for this. Andrew Avis, Public Works Director joined the conversation stating they would receive \$18,000,000.00. They discussed some of the projects. Commissioner Prude asked about the funds created by the pending tax assistant district. Commissioner Sanchez had a few questions. Commissioner Donnelly stated if the legislation passes SB12 bond reform we will have to add about \$500,000.00 in contingency.

County Judge Johnson asked Robert Segura, HR Director about the ability of the Elected Officials changing job descriptions and giving raises. The County Judge asked about the raises that were approved yesterday with inconclusive material. Commissioner Donnelly made a motion and Commissioner Sanchez asked Debbie Garza, Library Director if the job descriptions were changed substantially. Ms. Garza explained that the job descriptions were changed and the jobs we are discussing are not entry level positions. She feels like the new job descriptions now currently reflect the requirements accurately. Robert Segura, HR Director jumped into the conversation. Commissioner Prude stated that he believes we should help Ms. Garza accomplish her change request. Mitzi Baker, Treasurer joined the conversation. Commissioner Donnelly withdrew his motion. They asked for the new job descriptions to be brought before the Court for approval.

Mike Atkins, IT Director – Is renewing his request for a new system support specialist. Mr. Atkins explained how much the workload has increased over the years showing the need for an additional employee. Commissioner Ramsey asked Mr. Atkins how much of a burden taking over the IT workload of CSCD would be for his office.

Motion that IT adds a new system support specialist at a grade 17 1.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit:
Abstaining:

Scott Casbeer, Warrant Services – Asking for an increase in online services line item. We received \$5,000.00 asking for \$7,000.00.

Motion to increase his budget to \$7,000.00 for the Acurat line.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit:
Abstaining:

Laura Nodolf, District Attorney – It appears that the position of the bomb dog investigator and the bomb dog were moved out of her budget. The County Judge stated that we have \$150,000.00 invested in a bomb dog and it was unavailable for a recent incident at the Courthouse and he believes that this asset would be managed better by the Sheriff's office. Mrs. Nodolf stated that the bomb dog is an asset of the District Attorney's office paid for by the funds out of the District Attorney's asset forfeiture funds. She will not consent to transfer this asset to the Sheriff's Office. The Court can transfer the position of the handler but not the dog. She has an investigator that on their own time and their own dime has explosive training and helped in the Courthouse situation.

Motion to move the felony investigator bomb dog handler and the K9 supplies to be reinstated into the District Attorney's office.

Motion by: Prude
For: Ramsey, Donnelly
Sanchez, Prude

Second by: Donnelly
Against: Johnson

Exhibit: 461-481
Abstaining:

Debbie Garza, Library Director – The law library lowered the books line item to \$50,000.00. We had asked for \$63,000.00. Veronica Morales, Auditor checked the fund balance.

Motion to restore the law library line item 5205 to \$63,000.00.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Motion that we add \$15,000.00 to electronic services and make that \$140,000.00.

Motion by: Donnelly
For: Ramsey, Donnelly
Sanchez, Prude

Second by: Sanchez
Against: Johnson

Exhibit:
Abstaining:

Motion that we increase the equipment and furnishing's \$971.00 to \$5,865.00 that's an increase in the price of tables, freight, and stuff for equipment.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit:
Abstaining:

Motion to increase online services by \$254.00 to \$7,754.00.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Prude
Against:

Exhibit:
Abstaining:

Motion that we reduce office supplies to \$30,000.00 and increase equipment rentals to \$40,500.00

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit:
Abstaining:

Motion that we reduce the equipment maintenance to \$19,391.00 and increase equipment rentals to \$40,500.00. Commissioner Donnelly withdrew this motion.

Motion to re-budget the \$200,000.00 for capital land improvements.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit:
Abstaining:

10:51am take a break.
11:05am back into Regular session.

Allen Bell, CSCD Department – requesting an additional \$45,000.00 for \$5,000.00 Vehicle Maintenance, \$3,000.00 Fuel, \$20,000.00 Office Supplies, \$5,000.00 Computer Hardware, \$4,000.00 Postage, and \$13,000.00 Independent auditor.

Motion that we put into CSCD \$5,000.00 for vehicle maintenance, \$3,000.00 for fuel, \$4,000.00 for postage, \$13,000.00 for auditor and \$20,000.00 for office supplies.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit:
Abstaining:

Commissioner Donnelly wanted to discuss moving some of the budgeted balances in order to increase the fund balance.

(Move) \$7,164,081.00 from Road and Bridge, \$7,900,000.00 from the water resource project, \$2,500,000.00 of Risk Management for the Healthcare fund and \$3,000,000.00 for the Odyssey out of IT budget (into the fund balance). I'll make that motion.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit:
Abstaining:

Eddie Melendez, Facilities Director – Would like to add \$42,529.22 back into budget for 20 tilt trucks. Asking to hire the new office administrator at a grade 13 step 3. They also discussed the 509 Loraine project.

Motion to restore Facilities the 5155 equipment and furnishing line item to \$42,530.00.

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 482-483
Abstaining:

Motion to allow Facilities to hire the assistant at a grade 13 step 3 (intention is to hire immediately at this level).

Motion by: Ramsey
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Ruben Mata, Road and Bridge Administrator – 5790 professional services line-item funds for tire disposal were moved to contract services. Line item 7060 Capital outlay was short \$80,995.00 which was for two pick up trucks and accessories. Judge Johnson stated that he wanted to stay with the existing diesel trucks. These were our last two diesel trucks in the Road and Bridge fleet. Mr. Mata explained another reason for switching to gas was that Vector does not have a diesel mechanic. Robert Segura, HR director joined the conversation. Commissioner Prude asked about the fund balance for Road and Bridge. Commissioner Donnelly stated that we will remain with the existing diesel trucks. Commissioner Ramsey asked if Vector is behind. Ruben Mata, Road and Bridge Administrator discussed several units that they have been working on for 2 months or more. Ken Colston, Risk Management stated Vector is very far behind. Commissioner Sanchez asked for a report to the Court on the status of vehicles being fixed. County Judge Johnson stated that the new employee for facilities will manage that in the future.

Andrew Avis, Public Works Director presented the upcoming projects for Road and Bridge. Veronica Morales, Auditor joined the conversation. Commissioner Donnelly stated that he would like to move \$1 million to road right of ways. Veronica Morales, Auditor discussed the projected fund balance.

Motion to add \$1,000,000.00 to the right of way acquisition for Road and Bridge.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 484-493
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Andrew Avis Public Works Director – Requested a vehicle to do the inspections and right of ways. Kristy Engeldahl, Purchasing Agent stated that they have a Tahoe being turned in that can be used. They decided to use a surplus vehicle. Fuel line item was discussed and lights for the vehicle.

Motion that we add a vehicle fuel line in the Public Works budget for \$1,500.00.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 484-493
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Motion that we add \$4,000.00 in Public Works for non-contract vehicle maintenance.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 484-493
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:



*Recess at 12:27pm until 2:00pm
2:00pm back into Regular Session.*

Commissioner Donnelly verified with the Treasurer that the Court coordinators did not receive the COLA on top of the step increase.

Veronica Morales, Auditor discussed the increase for health care claims.

Motion to increase health care claims \$2.5 million for a total of \$10,000,000.00.

Motion by: Donnelly	Second by: Ramsey	Exhibit:
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

There was a discussion about the City of Midland agreeing to fund 50% of the request of the hospital for \$4,776,000.00 for a salary bonus program for all hospital employees below Director. The Hospital has chosen not to present the request to the Commissioners Court. Commissioner Donnelly stated we have given the Hospital \$2 million for mental health. They receive the same sales tax we are. County Judge stated that they are asking for these funds to come from the rescue funds. The water source project was discussed. Commissioner Donnelly stated he is nervous of everyone looking at us like a cash cow. Commissioner Sanchez stated he wants to use these funds to help the water project that will help many county residents. Commissioner Donnelly stated we are trying to build our reserves. Commissioner Ramsey stated that we need to wait to spend the funds that we don't have yet. We have already helped the Hospital a lot in the past. We need to focus on our needs first.

Commissioner Prude brought up Fields Edge request for \$60,000.00 for plumbing which was removed from the budget. He would like for the Court to consider putting it back into the budget. Commissioner Ramsey stated that we have given them \$100,000.00 and we have built a road for a single entity which is against our policy. At this point enough is enough. Commissioner Donnelly agreed with Commissioner Ramsey. County Judge Johnson stated that it was not removed from the budget it just was not put into the budget.

Commissioner Prude stated that Pat McDaniel wants to create Friends of the Cemetery to enhance Fairview Cemetery. This is just and FYI.

Commissioner Prude mentioned the idea to refurbish the historical painting on the west side of the Downtown Library. They might want to consider a place marker for restoration of the mural and some artwork for the Courthouse.

Motion to put \$60,000.00 in an account for restoration, artwork at the Library at the Plaza and the Midland County Courthouse.

Motion by: Ramsey	Second by: Prude	Exhibit:
For: Ramsey, Donnelly	Against: Johnson	Abstaining:
Sanchez, Prude		

Commissioner Ramsey asked Eddie Mendez, Facilities Director about moving the bollards from around the Courthouse. They could use about 6 to 9 at the Centennial Library. Commissioner Ramsey asked if we could remove them and store them. Mr. Mendez stated that there would be a cost to move them.

Ken Colston, Risk Manager stated that they had the inspection from Travelers about 4 months ago. The underwriter strongly recommended to add to the fire system in the Pavilion. The fire extinguishers currently in the Pavilion will not reach any two-story exhibits. The Oil companies have exhibits that are too close to the sprinklers. County Judge Johnson state they could add a section to the contracts that if they do have a two-story exhibit you will need to provide your own insurance. Russell Malm, County Attorney joined the conversation.

County Judge Johnson thanked Jenny Hilton, County Court Administrator and Veronica Morales, Auditor and her staff. It is a group effort.

57. Take action on submitted applications for permits to use county right-of-way for utility and line installations, driveway construction, road dedication, and mailbox construction.

Permit to Construct Driveway Facilities on County Right of way:

1. CSA Materials, Inc. on SCR 1180.
2. Kelly Vaughan on 2811 Shanks Dr.
3. Jason Steward on SCR 1224
4. Jason Steward on SCR 1224
5. Jason Steward on SCR 1224
6. Jason Steward on SCR 1224

Request for designation of location for crossing of a Midland County Texas road:

1. Pinnacle Dos Picos LLC on CR 120.
2. XRI Holdings, LLC on SCR 1136
3. Pinnacle Dos Picos, LLC on CR 1110
4. Pioneer Natural Resources USA, Inc. on CR 1040
5. Pioneer Natural Resources USA, Inc. on CR 1040

Motion to pass these

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Sanchez
Against:

Exhibit: 494-519
Abstaining:

58. Conduct Executive session pursuant to Texas Government Code Section 551.071 to consult with County Attorney regarding pending and prospective litigation and other matters, including *Nichols v. Midland County, et. Al.*

2:23pm go into Executive session

2:49pm back into Regular session

59. Discuss and take action on Executive Session items.

Motion that we approve the settlement in the lawsuit of Nichols v. Midland County et al.

Motion by: Donnelly
For: Johnson, Ramsey,
Donnelly, Sanchez

Second by: Ramsey
Against: Prude

Exhibit:
Abstaining:

Call item 55 and 56

60. Adjourn.

Motion to adjourn.

Motion by: Prude
For: Johnson, Ramsey,
Donnelly, Sanchez, Prude

Second by: Ramsey
Against:

Exhibit:
Abstaining:

Adjourn at 2:43p.m.

A Meeting of the Commissioners Court will be held on Monday, September 13, 2021, at 9:00a.m., in the Commissioners Courtroom, 500 North Loraine Street, Midland County Courthouse Commissioners Courtroom.

I, Alison Haley, County Clerk certify that this is an accurate accounting of the proceedings of the Commissioners Court meeting on August 23, 2021.





Alison Haley, County Clerk