



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

Be it remembered that on Monday the 11<sup>th</sup> day of January, 2021 at 9:01a.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 Commissioner Randy Prude.**

**3. Pledges of Allegiances.**

**4. Discuss and take action on court minutes from December 29, 2020.**

Presented by Alison Haley, County Clerk

Motion to approve.

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

*Recalled by Commissioner Donnelly.*

Commissioner Donnelly would like the fact that he stated in agenda item no. 45 the value of the donation. They would like that added before approval.

Motion to withdraw previous acceptance of the minutes.

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

**5. Acknowledge retirement of Sylvia Bejino from Sheriff's Office.**

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 11
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**6. Receive annual report from Texas A&M AgriLife Extension office.**

Presented by Abigale Pritchard, CEA-FCH, Steve Paz, 4-H Coordinator, Jeanette Castanon, Horticulture and Christy Curran, Better Living for Texans Agent.

Exhibit: 12-36

*Recall item 4*

**7. Acknowledge annual meeting of the Investment Advisory Committee and adopt list of qualified brokers as required by LGC Chapter 2256.025.**

Presented by Mitzi Baker, Treasurer. The brokers we currently use are Charles Schwab and Financial Northeastern Companies.

Motion to acknowledge.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 37-38
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**8. Discuss and take action on required training of the Midland County Investment Officer, Mitzi Baker, as required by LGC Chapter 2256.008.**

Presented by Mitzi Baker, Treasurer. Our policy requires 10 hours of training.

Motion to acknowledge.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 39-41
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**9. Discuss and take action on personnel memoranda.**

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 42-43
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**10. Discuss and take action on line item transfers.**

Presented by Lisa Sessions, 1<sup>st</sup> Assistant Auditor. There were a few brought to the Courts attention. Hold for Purchasing Agent. Kristy Engeldahl, Purchasing Agent answered the question about the line item transfer for Vector Fleet.

Motion to approve all line item transfers.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 44-56
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**11. Discuss and take action on bills and wire transfers.**

Presented by Lisa Sessions, 1<sup>st</sup> Assistant Auditor. 2 Wire transfers for the County Clerks' office. No exceptions.

Motion to approve all bills and wire transfers.

Motion by: Sanchez	Second by: Prude	Exhibit: 57-63
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**12. Discuss and take action on purchase of drinking water.**

Alison Haley, County Clerk would like to use office supply funds to purchase drinking water for her office while the filters and dispensers are not working. Ken Colston, Risk Manger stated they have pallets of water they can donate. No action taken. Exhibit: 64

**13. Discuss and take action on bond renewal for Constable Precinct 2.**

Presented by Robert Segura, HR Director.

Motion to renew the bond for Constable Precinct 2.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 65
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**14. Discuss and take action on in-person programming at Midland County Public Libraries.**

Presented by Debbie Garza, HR Director. A few ideas about different in-person programs were discussed. No groups over 10. Would like to start in February.

Motion to allow the Midland County Public Libraries to offer in-person programs at either location.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 66
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**15. Discuss and take action on budget amendment for Plains First Responder Grant Program in the amount of \$5,930.00.**

Presented by Ken Colston, Risk Manager. This is for the purchase of the tent.

Motion to approve the budget amendment for Plains First Responder Grant Program in the amount of \$5,930.00.

Motion by: Prude	Second by: Donnelly	Exhibit: 67-68
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**16. Discuss and take action on burn ban.**

Presented by Ken Colston, Risk Manager.

Motion to renew the burn ban effective today for 30 days.

Motion by: Prude	Second by: Ramsey	Exhibit: 69-70
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**17. Receive COVID-19 Response update.**

Presented by Ken Colston, Risk Manager. They are working on the distribution of the vaccine as they come in. Exhibit: 71

**18. Discuss and take action on salary adjustments for Sergeants with Sheriff's Office.**

Presented by Sheriff Criner. Would like to hold in executive session. It has not been agendized for executive session. This was brought up during the last Commissioners Court hearing about adjusting the pay of these 8 sergeants to align with the other sergeants. Commissioner Sanchez stated that he would not vote of this motion. Commissioner Prude stated his reasons for supporting this item. Judge Johnson stated that he trusts the Sheriff's decision. Commissioner Donnelly stated he thinks they should wait for the budget process. Commissioner Ramsey stated they set a policy of no raises this year.

Motion to approve the grade change for the Sergeants who need to be adjusted out of David's (Sheriff Criner) own salary line item surplus that he has because of several unfilled positions.

Motion by: Prude  
For: Johnson, Prude

Second by: Johnson  
Against: Donnelly, Ramsey

Exhibit: 72-74  
Abstaining: Sanchez

**19. Discuss and take action on budget amendment for the JAG 2019 Grant on interest earned of \$100.00.**

Presented by Sheriff Criner and Benny Matlock, Chief Deputy.

Motion to do a budget amendment for the JAG 2019 Grant on interest earned of \$100.00.

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

Second by: Sanchez  
Against:

Exhibit: 75-76  
Abstaining:

**20. Discuss and take action on budget amendment of \$7,100.00 for Building Maintenance.**

Presented by Sheriff Criner. This will be paid out of the donations account.

Motion to approve.

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

Second by: Donnelly  
Against:

Exhibit: 77-79  
Abstaining:

**21. Acknowledge Civil and Warrants Monthly Fee Report.**

Presented by Sheriff Criner. December 2020.

Motion to acknowledge.

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

Second by: Sanchez  
Against:

Exhibit: 80-81  
Abstaining:

**22. Acknowledge fees for Detention.**

Presented by Sheriff Criner. December 2020.

Motion to acknowledge.

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

Second by: Donnelly  
Against:

Exhibit: 82-83  
Abstaining:

**23. Receive presentation and demonstration of new equipment from Chief Deputy Benny Matlock.**

SO Chief Deputy Benny Matlock demonstrated the new firearm for the Sheriffs' Office.  
Exhibit: 84

**24. Discuss and take action on purchase of Tahoes for SO Patrol and Risk Management.**

Presented by Kristy Engeldahl, Purchasing Agent. Patrol was budgeted for 4 replacement units and 4 additional units. We have a quote from Reliable Chevrolet (using Sheriff's Association of Texas Cooperative Purchasing Contract) for 8 units at \$35,067.75 each. Risk Management also has budgeted funds for vehicles.

They would like to go ahead and purchase 3 Tahoes that will be outfitted to replace any wrecked Patrol Tahoes. Again we have a quote from Reliable Chevrolet (using Sheriff's Association of Texas Cooperative Purchasing Contract) in the amount of \$35,140.00 each which makes their total \$105,422.00.

Motion to acquire all 11 units.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 85-89
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**25. Discuss and take action having Courthouse Condenser Epoxy Coated.**

Presented by Kristy Engeldahl, Purchasing Agent. Ernie said that we need to do this now before the condenser goes bad. We have a quote from Varitec (using the TIPS Cooperative Purchasing Contract) in the amount of \$38,192.00.

Motion to approve Courthouse Condenser Epoxy coated by Varitec in the amount of \$38,192.00.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 90-92
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**26. Discuss and take action on HVAC Maintenance and Service Agreements for Courthouse, Culver, History Museum, and Horseshoe Arena/Pavilion.**

Presented by Kristy Engeldahl, Purchasing Agent. They are wanting to move away from Johnson Controls. Varitec came in at a cheaper rate and seem to be willing to provide better customer service. We have quotes from Varitec (using the TIPS Cooperative Purchasing Contract) for a 1 year service/maintenance agreement for the following buildings in the corresponding amounts:

Courthouse: \$8,183.00  
Culver: \$2,990.00  
History Museum: \$2,040.00  
Horseshoe Arena/Pavilion: \$40,573.00

Motion to go with Varitec Solutions on these items.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 93-145
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

*Recall item 10 and 13*

**27. Discuss and take action authorizing County Judge to sign the 2020 MS4 Annual Report.**

Presented by Andrew Avis, Publics Works Director.

Motion authorizing County Judge to sign the 2020 MS4 Annual Report for transmission to the State.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 146-167
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**28. Discuss and take action on additional costs associated with two driveways for WCR 127 project.**

Presented by Andrew Avis, Public Works Director. \$26,883.06

Motion to approve the two driveways and the costs associated with it of \$26,883.06.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 168-169
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**29. Discuss and take action authorizing County Judge to sign Crawford Antenna Site Electrical Easement.**

Presented by Andrew Avis, Public Works Director.

Motion grant the County Judge authorization to sign Crawford Antenna Site Electrical Easement.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 170-176
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**30. Discuss and take action designating the Hearing Examiner regarding the Procedures for the Abatement of Neighborhood Nuisance Pursuant to Chapter 343, Texas Health and Safety Code.**

Presented by Laura Nodolf, District Attorney. The District Attorney explained the process for the abatement of neighborhood nuisance. They have had some people request a hearing. The previous approval did not designate a hearing examiner. Commissioner Ramsey stated that he believes the best person would be the Justice of the Peace. The District Attorney stated it could be the Constables. District Attorney, Laura Nodolf stated she would speak to the JP's and bring this back to the Court.

No action taken.

**31. Discuss and codify the Procedures for the Abatement of Neighborhood Nuisance Pursuant to Chapter 343, Texas Health and Safety Code.**

Presented by Laura Nodolf, District Attorney. The District Attorney explained the process for an order of abatement of neighborhood nuisance. There is a difference between trash in right-of-way and trash dumped on personal property. No fault land owners were discussed.

Motion to codify the processes for the abatement of neighborhood nuisance pursuant to the procedures that were adopted in December and to the Chapter 343, Texas Health and Safety Code.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 177-178
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**32. Acknowledge publication of the codification of the Procedures for the Abatement of Neighborhood Nuisance Pursuant to Chapter 343, Texas Health and Safety Code on the Midland County Website and at the entrance of the Midland County Courthouse.**

Presented by Laura Nodolf, District Attorney. Now that we have codified it we need to notify the public. Commissioner Sanchez stated that he would like it to be published in English and Spanish.

Motion to approve publication of the codification of the Procedures for the Abatement of Neighborhood Nuisance Pursuant to Chapter 343, Texas Health and Safety Code on the Midland County Website and at the entrance of the Midland County Courthouse and a publication in the newspaper as a public announcement.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 177-178
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**33. Discuss and take action on county policy regarding campaign signs on county property.**

Presented by Commissioner Ramsey. There was some discussion about the policy that was presented. Commissioner Sanchez spoke about the 1-hour restriction to remove your sign being an issue. Commissioner Donnelly suggested 24 hours. County Judge asked who would monitor this and how would candidates know about it.

Motion to approve the campaign sign policy as written with one amendment changing the removal of all buckets and cinderblocks from 1 hour to 24 hours.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 179-180
For: Ramsey, Prude Donnelly, Sanchez	Against: Johnson	Abstaining:

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

Permit to Construct Driveway Facilities on County Right of way:

1. AJ Construction on WCR 100

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

1. Pinnacle Dos Picos, LLC on CR 120
2. Pinnacle Dos Picos, LLC on CR 1110
3. Pioneer Natural Resources on CR1232

Motion to approve one and two.

Motion by: Prude	Second by: Donnelly	Exhibit: 181-193
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**35. Conduct Executive session pursuant to Texas Government Code Section 551.071 to consult with County Attorney regarding pending and prospective litigation and other matters.**

*11:07am take a quick break and then go into Executive session.  
11:45am back into Regular session*

**36. Adjourn.**

Motion to adjourn.

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

Second by: Sanchez  
Against:

Exhibit:  
Abstaining:

Adjourn at 11:45a.m.

**A Meeting of the Commissioners Court will be held on Monday, January 25, 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 January 11, 2021.**



  
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Alison Haley, County Clerk