



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

Be it remembered that on Monday the 24th day of January 2022 at 9:00 a.m. a meeting of the Midland County Commissioners Court was called to order in the Commissioners 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 Becky Blakes, Assistant Chief Deputy County Clerk

1. Call to Order.

2. Invocation given by Randy Sims from Midland Bible Church

3. Pledges of Allegiances.

4. Acknowledge December's I.M.P.A.C.T.S. of the Month Honoree, Daniel Ochoa, from I.T.

Presented by Robert Segura, HR Director. Justin Stephenson, IT read his nomination for Daniel Ochoa.

Motion to acknowledge the I.M.P.A.C.T.S honoree Daniel Ochoa from IT.

| | | |
|-------------------|---------------------|-------------|
| Motion by: Ramsey | Second by: Donnelly | Exhibit: 16 |
| For: All (5) | Against: None | Abstaining: |

5. Discuss and take action on budget amendment of JAG Grant in the amount of \$10,156.00 to be used for weapons and ammunition.

Presented by Sheriff Criner.

Motion to approve the budget amendment of the JAG grant in the amount of \$10,156.00 to be used for weapons and ammunition.

| | | |
|--------------------|------------------|----------------|
| Motion by: Sanchez | Second by: Prude | Exhibit: 17-18 |
| For: All (5) | Against: None | Abstaining: |

6. Discuss and take action on donation in the amount of \$4,000.00 from EOG Resources, Inc. to Midland County Sheriff's Office for bulletproof vests.

Presented by Sheriff Criner.

Motion to acknowledge the \$4,000.00 donation from EOG Resources, Inc.

| | | |
|-------------------|------------------|---------------|
| Motion by: Ramsey | Second: Donnelly | Exhibit:19-22 |
| Against: None | Abstaining: | |

7. Discuss and take action on budget amendment of \$4,000.00 for bulletproof vests.

Presented by Sheriff Criner.

Motion to approve the budget amendment for \$4,000.00 for bulletproof vests.

| | | |
|------------------|--------------------|----------------|
| Motion by: Prude | Second by: Sanchez | Exhibit: 23-24 |
| For: All (5) | Against: None | Abstaining: |

8. Acknowledge Midland County Sheriff's Office report for December 2021.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 25-27
Abstaining:

9. Acknowledge monthly report for C&W Fee Collection report for December 2021.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 28-29
Abstaining:

10. Acknowledge Detention Fees for December 2021.

Presented by Sheriff Criner.

Motion to acknowledge the Detention fees for December 2021.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 30-31
Abstaining:

11. Discuss and take action on donation of fly spray valued at \$369.36 from Tractor Supply for Mounted Patrol.

Presented by Sheriff Criner.

Motion to acknowledge the donation from Tractor Supply of fly spray for Mounted Patrol.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 32-35
Abstaining:

12. Discuss and take action on monies in the amount of \$3,000.00 from Dooley Management for Mounted Patrol.

Presented by SO Chief Matlock. This was a cash donation. Veronica Morales, Auditor asked for clarification.

Motion to acknowledge the \$3,000.00 contribution to the Midland County Sheriff's Office from Dooley Management.

Motion by: Ramsey
For: All (5)

Second by: Prude
Against: None

Exhibit: 36
Abstaining:

13. Discuss and take action on ARPA funds.

Sheriff Criner presented his request for \$2,000.00 each for his eligible works from the ARPA funds the County received. Estimated request is \$500,000.00. Commissioner Ramsey stated that he wants to wait for the proper budget procedure. County Judge Johnson thanked the Court for agreeing to pay the Hospital employees and asked about the status of hiring a consultant. Commissioner Donnelly stated that there are a lot of different employees that fall under this category. He wants to wait for the consultant. Commissioner Sanchez thanked the Sheriff's office and all the county employees. He wants to make sure we are spending the grant money correctly. Commissioner Prude mentioned the sub-committee they created could address this concern. Tabled for more information. Exhibit: 37-38

14. Discuss and take action on ARPA funding for Pre-Trial Bonding for Premium Pay due to the department's inability to shut down during COVID.

Tabled.

Exhibit: 39

15. Acknowledge report for JP 3.

Presented by Judge Billy Johnson, Justice of the Peace Precinct 3.

Motion that we acknowledge the report for JP3.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 40-84
Abstaining:

**ADDENDUM
MIDLAND COUNTY COMMISSIONERS COURT MEETING
January 24, 2022 on or after 9:25 a.m.**

1. Acknowledge reports for JP 2 and JP 4.

Presented by Judge John Barton, Justice of the Peace Precinct 4

Motion to acknowledge the two reports from JP 2 and 4.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 85-138
Abstaining

Call item 23

16. Discuss and take action on court minutes for January 10, 2022.

Presented by Becky Blakes, Assistant Chief Deputy County Clerk.

Motion to approve the Court minutes for January 10, 2022.

Motion by: Ramsey
For: All (5)

Second by: Prude
Against: None

Exhibit: 139
Abstaining:

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

Becky Blakes, Assistant Chief Deputy County Clerk presented the court fees for the County and District Clerks' office for December 2021.

Motion to approve the fees for the County and District Clerk offices.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 140-153
Abstaining:

18. Conduct Public Hearing on placement of stop sign at WCR 114 & SCR 1205.

County Judge Johnson announced a public hearing on placement of stop sign at WCR 114 and SCR 1205. No one came forward. The hearing was closed.

19. Discuss and take action on placement of stop sign at WCR 114 & SCR 1205.

Presented by Ruben Mata, Facilities Administrator. This intersection has a 3 way stop and a private road. Commissioner Sanchez stated that he supports a 4 way stop sign. Commissioner Ramsey asked if the sign would be on private property. It would be in the County right-of-way.

Motion that we approve the placement of the stop sign at WCR 114 and SCR 1205.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 154-158
Abstaining:

20. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge the personnel memoranda.

Motion by: Prude
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 159
Abstaining:

21. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were a few exceptions brought before the court. Commissioner Ramsey asked about postage amount. Andrew Avis, Public Works Director joined the conversation.

Motion to approve the line item transfers.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 160-171
Abstaining:

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

Presented by Veronica Morales, Auditor. There were a few exceptions brought before the court. Large wire transfer for bond payment. Additional bill for Endeavor Energy Resources land for County Road 1250 and Sheriff's Office, USPS payment for annual PO box fee for \$374.00.

Motion to pay all bills and wire transfers.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 172-180
Abstaining:

23. Acknowledge 2021 Annual Report for Extension programming in Ector/Midland.

Presented by Abigale Pritchard, CEA-FCH. They are fully staffed. Lexi Ruch, Agriculture and Natural Resources, Jeanette Castanon, Horticulture, Christy Curran, Better living for Texans, Krista Elkins, CEA-Health and Steve Paz, 4-H Coordinator all addressed the Court

Motion to acknowledge.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 181-197
Abstaining:

Call item 28

24. Receive COVID update.

Presented by Robert Segura, HR Director. Update only. No action needed.

Exhibit: 198-199

25. Discuss and take action on donation in the amount of \$1,000.00 for Midland County Library Genealogical Dept.

Presented by Matthew Glaser, Assistant Library Director.

Motion to acknowledge the \$1,000.00 donation from Rosalind Redfern Grover for the Midland County Library Genealogical Department.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 200-201
Abstaining:

26. Discuss and take action authorizing County Judge to sign agreement between Midland County Public Libraries and Kajeet, Inc.

Presented by Matthew Glaser, Assistant Library Director. Russell Malm, County Attorney stated there were a few changes needed to the contract.

Motion that we approve the Kajeet, Inc. service agreement with the County Attorney changes.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 202-205
Abstaining:

27. Discuss and take action on out-of-state travel for Matthew Glaser to attend Computers in Libraries conference in Arlington, VA, March 29-31, 2022

Tabled. It will be a virtual conference.

Call item 16

28. Discuss and take action on Verizon Bill for Elections.

Presented by Carolyn Graves, Elections Administrator requested \$16,880.14 for a Verizon bill. They had attempted to change the plan but when they turned it on it was done incorrectly. Kristy Engeldahl, Purchasing Agent answered some of the Courts questions. Judge Johnson asked if there was something in place to avoid this from happening again. Veronica Morales, Auditor stated that she would be requesting additional funds from contingency to pay these bills.

Motion that we transfer \$16,881.00 from contingency to the Elections telephone line.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 206-233
Abstaining:

Call item 47

29. Discuss and take action on temporary position with no break in service to be added to DA budget for 1 week.

Presented by Jana Anderson, DA Office Administrator. Mitzi Baker, Treasurer joined the conversation.

Motion that we allow a temporary position with no break in service be added to the DA's office for one week.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 234
Abstaining:

30. Discuss and take action on additional \$2,000.00 to be added to DA budget for Non-Target Vehicle Maintenance.

Presented by Jana Anderson, DA Office Administrator. Asking for additional funds for vehicle maintenance. This would need to come from contingency per Veronica Morales, Auditor

Motion to add an additional \$2,000.00 out of contingency to the DA's general budget for non-target vehicle maintenance.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 235-258
Abstaining:

31. Acknowledge damage and fleet accident reports for December 2021.

Presented by Ken Colston, Risk Manager.

Motion to acknowledge the monthly accident and damage report.

Motion by: Ramsey Second by: Donnelly Exhibit: 259-266
For: All (5) Against: None Abstaining:

32. Discuss and take action on repair estimate for radio tower lights.

Presented by Ken Colston, Risk Manager. Estimate of \$23,785.00 from Petro Communications for repair to radio tower. The funds have been budgeted. There was some discussion.

Motion that we repair the lights on the radio tower in the amount of \$23,785.00.

Motion by: Donnelly Second by: Ramsey Exhibit: 267-290
For: All (5) Against: None Abstaining:

33. Acknowledge Rebate Checks from Ricoh.

Presented by Kristy Engeldahl, Purchasing Agent. We received 3 checks totaling (\$5,150) for rebates for the machines for the following offices:
Library - \$2,550.00, County Attorney - \$850.00, Juvenile Detention - \$1,200.00 and Sheriff's Office Detention - \$550.00.

Motion to acknowledge the rebate checks from Ricoh.

Motion by: Sanchez Second by: Donnelly Exhibit: 291-296
For: All (5) Against: None Abstaining:

34. Discuss and take action authorizing County Judge to sign Ricoh Lease Agreements.

Presented by Kristy Engeldahl, Purchasing Agent. We have new agreements for SO-Detention, 238th/385th District Courts and 2 units for County Clerk.

Motion to have the County Judge sign Ricoh lease agreements.

Motion by: Donnelly Second by: Ramsey Exhibit: 297-333
For: All (5) Against: None Abstaining:

35. Discuss and take action allowing County Clerk to use County Credit Card.

Presented by Kristy Engeldahl, Purchasing Agent. The County Clerk's office needs to use the County credit card to purchase credit card readers for the office. The funds are budgeted.

Motion allowing the County Clerk to use the County credit card for MagTek purchase in the amount of \$720.00.

Motion by: Ramsey Second by: Donnelly Exhibit: 334-335
For: All (5) Against: None Abstaining:

36. Discuss and take action allowing Darrian Smith to be a vendor with Midland County.

Presented by Kristy Engeldahl, Purchasing Agent. Darrian Smith is an officer with the Courthouse security. They would like to make Darrian Smith a vendor for the County.

Motion that we allow Darrian Smith to become a vendor for Midland County.

Motion by: Donnelly Second by: Ramsey Exhibit: 336
For: All (5) Against: None Abstaining:

37. Discuss and take action on award for RFP 21MCO585 Consulting Services for Grant Assistance.

Presented by Kristy Engeldahl, Purchasing Agent. They received 9 responses to RFP 21MCO585. The top score is Grant Works. Commissioner Sanchez stated he has worked with them before. Nothing negative to say about them. Jenny Hilton, County Judge Coordinator joined the conversation.

Motion that we award RFP 21MCO585 consulting services for grant assistance to hire Grant Works.

Motion by: Sanchez Second by: Ramsey Exhibit: 337-343
For: All (5) Against: None Abstaining:

38. Discuss and take action allowing Sheriff’s Office to have 2 Credit Cards for Emergency Travel Use.

Presented by Kristy Engeldahl, Purchasing Agent. Several department heads and elected officials met with Veronica and I to discuss issues regarding officers traveling for work related purposes outside of education/training and issues that have arisen during those instances. It was decided to ask the court to approve the Sheriff’s Office having 2 credit cards to use for emergency travel purposes only. Commissioner Ramsey asked how they would account for those expenses. Veronica Morales, Auditor joined the conversation. Mitzi Baker, Treasurer answered the Courts questions about how credit cards were handled in the past. The Auditor stated that these would be used for emergencies only.

Motion that we allow the Sheriff’s Department to have 2 credit cards for emergency travel use.

Motion by: Donnelly Second by: Sanchez Exhibit: 344
For: All (5) Against: None Abstaining:

*Took a break at 10:59 am
Back into Regular session at @ 2:00 pm*

39. Discuss and take action modifying 1992 Flood Damage Prevention Regulations.

Presented by Andrew Avis, Public Works Director. Once the City of Midland acknowledges our flood plain management duties, we need to modify our regulations. County Attorney, Russell Malm answered the Courts questions. Commissioner Sanchez stated that he thinks we should amend the regulations.

Motion that we amend the Article 4 administration section A to say the Public Works Director is hereby appointed Flood Plain Administrator.

Motion by: Donnelly Second by: Sanchez Exhibit: 345-377
For: All (5) Against: None Abstaining:

40. Discuss and take action allowing use of Department of Public Works Public Notice Documents.

Presented by Andrew Avis, Public Works Director. Presented a Public Notice Document that the Public Works office would like to use to enforce the requirements. Tim Telck, DA Environmental Investigator answered the Courts questions and discussed writing tickets. Commissioner Donnelly asked for the notice to be in Spanish also.

Motion that we authorize the use of the Public Notice Document as presented as long as it is in English and Spanish.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 378-379
Abstaining:

41. Discuss and take action authorizing County Judge to initial modified document with Holly Energy.

Presented by Andrew Avis, Public Works Director. Holly Energy sent the original with an amendment.

Motion that we authorize the County Judge to initial modifications to the signed document initialed by Holly Energy. (Mentioned that is strictly a pipeline company and not the refining Company)

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 380-387
Abstaining:

42. Discuss and take action on proposed change order of contract associated with Law Enforcement Complex.

Presented by Andrew Avis, Public Works Director. Requesting an additional \$90,000.00 for additional services from Burns Architecture regarding potential off site jail facility.

Motion to execute the proposed change order to the contract associated with Law Enforcement Complex plan.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 388-390
Abstaining:

43. Discuss and take action authorizing County Judge to sign Jaz Acres Plat for Precinct 3.

Presented by Andrew Avis, Public Works Director. This is for Precinct 2.

Motion that we authorize the County Judge to sign the mylars for Jaz Acres Plat in Precinct 2.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 391-392
Abstaining:

44. Discuss and take action on change order with Danny's Paving for unforeseen work at CR 1250 Backage Road Project.

Presented by Andrew Avis, Public Works Director. Increase of \$87,378.00 for unforeseen work at CR 1250 backage road project. Two items were added to the project.

Motion authorizing Public Works to execute the change order to Danny's Paving for the backage road at 1250.

Motion by: Ramsey
For: All (5)

Second by: Prude
Against: None

Exhibit: 393-404
Abstaining:

45. Discuss and take action authorizing County Judge to sign Pecan Grove Re-Plat for Precinct 3.

Presented by Andrew Avis, Public Works Director. This is also for Precinct 2.

Motion that we accept the re-plat of Pecan Grove Acres.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 405-406
Abstaining:

**ADDENDUM #2
MIDLAND COUNTY COMMISSIONERS COURT MEETING
January 24, 2022 on or after 12:30 p.m.**

1. Discuss and take action on engagement letter with Allen, Boone, Humphries, Robinson, LLP.

Presented by Russell Malm, County Attorney. We need help to take the next step with our water issues. Commissioner Ramsey asked about the proposed cost and where does it come from. The hourly rates Veronica Morales, Auditor stated they have funds budgeted in non-departmental professional services.

*2:28pm took a break for County Attorney, Russell Malm to get information
Reconvened at 2:36pm.*

Russell Malm, County Attorney stated the rates are \$570.00 per hour and the legal assistance are \$290.00 per hour.

Motion to approve the engagement letter with Allen, Boone, Humphries, Robinson, LLP.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 407-418
Abstaining:

46. 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. Veteran Fabrication, Inc. on SCR 1232
2. Veteran Fabrication, Inc. on SCR 1232
3. Dahlia Development, LLC on CR 1232
4. Dove Acres Plantation, LLC on ECR 160
5. Adams Development Group, LLC on SCR 1210

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

1. Oncor Electric Delivery Company on SCR 1110
2. Blue Ridge Solutions, LLC on CR 1140
3. Dove Acres Plantation, LLC on ECR 160
4. Pinnacle Dos-Picos, LLC on CR 1090
5. Endeavor Energy Resources, LP on CR 1150
6. Endeavor Energy Resources, LP on CR 110
7. Endeavor Energy Resources, LP on CR 1140
8. HEXP Operating, LLC on CR 270
9. Grand Prix Pipeline, LLC on CR 270
10. Targa Pipeline Mid-Continent West Texas, LLC on CR 140
11. Targa Pipeline Mid-Continent West Texas, LLC on CR 150

Motion to pass these.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 419-453
Abstaining:

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

*10:00am Break for Executive Session
10:23am back into Regular session*

Call item 25

48. Adjourn.

Motion to adjourn.

Motion by: Sanchez
For: All (5)

Second by: Ramsey
Against: None

Exhibit:
Abstaining:

Adjourn at 2:39 p.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, February 14, 2022, on or after 9:00 a.m., in the Commissioners Courtroom, located at the Midland County Courthouse, 500 North Loraine Street, Midland, Texas.

I, Alison Haley, County Clerk certify that this is an accurate accounting of the proceedings of the Commissioners Court meeting on January 24, 2022.



Alison Haley

Alison Haley, County Clerk