



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

Be it remembered that on Monday the 14th day of February 2022 at 9: 00a.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;
Randy Prude, County Commissioner Precinct No. 4

Recorded by Alison Haley, County Clerk.

1. Call to Order.

2. Invocation given by Pastor Darin Wood, First Baptist Church.

3. Pledges of Allegiances.

4. Acknowledge February's I.M.P.A.C.T.S. of the Month Honoree, Cesar Guerrero, with the Tax Office.

Robert Segura, HR Director read the nomination for Cesar Guerrero.

No action taken.

Exhibit: 14

5. Acknowledge retirement of Sgt. John Henry from Sheriff's Office.

Tabled

Exhibit: 15

6. Acknowledge retirement of Assistant Chief Secretary Linda Smith from the District Attorney's Office.

Tabled

Exhibit: 16

7. Discuss and take action eliminating Part Time CID and Part Time C&W positions and combining into one Full Time CID position.

Presented by Sheriff Criner and Robert Segura, HR Director. They would like to combine 2 part time positions to make one full-time position. This is for security of the building. Mitzi Baker, Treasurer joined the conversation.

Motion that we eliminate the part time CID and part time Civil and Warrants position and combine them into one full time CID position.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 17
Abstaining:

8. Discuss and take action ratifying Rifle Resistant Vest and First Responder Mental Health Grants' Applications.

Presented by Sheriff Criner.

Motion ratifying the Rifle Resistant Vest and First Responder Mental Health Grants' applications.

Motion by: Ramsey
For: All (4)

Second by: Prude
Against: None

Exhibit: 18-19
Abstaining:

9. Discuss and take action authorizing the County Judge to sign the HIDTA 2022 Grant Application.

Presented by Sheriff Criner. This is a grant they share with the DA's office.

Motion to authorize the County Judge to sign the HIDTA 2022 grant application.

| | | |
|------------------|---------------------|----------------|
| Motion by: Prude | Second by: Donnelly | Exhibit: 20-28 |
| For: All (4) | Against: None | Abstaining: |

10. Discuss and take action on donation in the amount of \$15,000.00 from Plains Marketing, L.P. for bulletproof vest for Sheriff's Office.

Presented by Sheriff Criner.

Motion accepting the donation of \$15,000.00 from Plains Marketing, L.P. for the donation of bulletproof vest account.

| | | |
|-------------------|---------------------|----------------|
| Motion by: Ramsey | Second by: Donnelly | Exhibit: 29-32 |
| For: All (4) | Against: None | Abstaining: |

11. Discuss and take action on budget amendment of \$15,000.00 for bulletproof vests for Sheriff's Office.

Presented by Sheriff Criner.

Motion to approve the budget amendment of \$15,000.00 for bulletproof vest for the Sheriff's Office.

| | | |
|------------------|---------------------|----------------|
| Motion by: Prude | Second by: Donnelly | Exhibit: 33-34 |
| For: All (4) | Against: None | Abstaining: |

12. Discuss and take action on donation in the amount of \$500.00 from Sewell Ford Lincoln for Sheriff's donation account.

Presented by Sheriff Criner and Chief Deputy Benny Matlock. Veronica Morales, Auditor joined the conversation.

Motion that we accept the donation in the amount of \$500.00 from Sewell Ford Lincoln for the Sheriff's Office general donation account.

| | | |
|---------------------|-------------------|----------------|
| Motion by: Donnelly | Second by: Ramsey | Exhibit: 35-38 |
| For: All (4) | Against: None | Abstaining: |

13. Discuss and take action on budget amendment of \$500.00 for purchase of food for Sheriff's Office.

Presented by Chief Deputy Benny Matlock.

Motion authorizing budget amendment for the Sheriff's Office general donation revenue line item of \$500.00 from Sewell Ford.

| | | |
|-------------------|---------------------|----------------|
| Motion by: Ramsey | Second by: Donnelly | Exhibit: 39-40 |
| For: All (4) | Against: None | Abstaining: |

14. Discuss and take action on reimbursement to Chief Benny Matlock for food purchased for Big Bend Law Enforcement Association Meeting.

Presented by Chief Deputy Benny Matlock. The Auditor noted the amount is \$326.37.

Motion that we authorize reimbursement of payment to Benny Matlock for food purchased for Big Bend Law Enforcement Association meeting.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 41-42
Abstaining:

15. Discuss and take action reimbursing Chief Benny Matlock for additional bill for purchase of food for Big Bend Law Enforcement Association Meeting.

Tabled.

16. Acknowledge Detention Fees for January 2022.

Presented by Sheriff Criner.

Motion to acknowledge the court fees collected by the Sheriff's Office.

Motion by: Ramsey
For: All (4)

Second by: Donnelly
Against: None

Exhibit: 43-44
Abstaining:

17. Acknowledge C&W Fee Collection report for January 2022.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 45-46
Abstaining:

18. Acknowledge Monthly Collections Reports/Status Update for JP 1.

Presented by Judge Terry Luck, Justice of the Peace Precinct 1.

Motion to acknowledge the January JP 1 collections report.

Motion by: Ramsey
For: All (4)

Second by: Donnelly
Against: None

Exhibit: 47-64
Abstaining:

19. Discuss and take action on court minutes from January 24 & 31, 2022.

Presented by Alison Haley, County Clerk.

Motion to approve court minutes for January 24 and 31, 2022.

Motion by: Ramsey
For: All (4)

Second by: Prude
Against: None

Exhibit: 65
Abstaining:

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

Alison Haley, County Clerk presented the fees for January 2022.

Motion to acknowledge.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 66-79
Abstaining:

21. Acknowledge the Quarterly Sick Leave Pool Report.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge the quarterly sick leave report.

Motion by: Ramsey Second by: Donnelly Exhibit: 80-81
For: All (4) Against: None Abstaining:

22. Acknowledge the Quarterly Investment Report.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge.

Motion by: Donnelly Second by: Ramsey Exhibit: 82-87
For: All (4) Against: None Abstaining:

23. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge personnel memoranda.

Motion by: Prude Second by: Donnelly Exhibit: 88-89
For: All (4) Against: None Abstaining:

24. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were a few exceptions discussed.

Motion to approve all line item transfers.

Motion by: Ramsey Second by: Donnelly Exhibit: 90-118
For: All (4) Against: None Abstaining:

Recalled by Commissioner Donnelly for item 43

Motion that we do a line-item transfer from 200-900 in the amount of \$17,700.00 to 100-20.

Motion by: Donnelly Second by: Ramsey Exhibit:
For: All (4) Against: None Abstaining:

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

Presented by Veronica Morales, Auditor. There were a few exceptions discussed. Additional bill for Burns Architecture for \$3,200.00.

Motion to pay all bills.

Motion by: Donnelly Second by: Ramsey Exhibit: 119-128
For: All (4) Against: None Abstaining:

Recalled by the Auditor.

Veronica Morales, Auditor presented the Burns Architecture bill for \$53,200.00 for one invoice and a second invoice for \$13,300.00.

Motion that we approve the payment to Burns of \$66,500.00

Motion by: Donnelly Second by: Ramsey Exhibit: 128
For: All (4) Against: None Abstaining:

26. Acknowledge Summary of All Collections for November and December 2021 for Tax Office.

Presented by Karen Hood, Tax Assessor Collector.

Motion to acknowledge the summary of all collections for November and December 2021.

Motion by: Ramsey
For: All (4)

Second by: Donnelly
Against: None

Exhibit: 129-131
Abstaining:

Recall item 4

27. Discuss and take action authorizing County Judge to sign the Baker & Taylor DVD Lease renewal agreement.

Presented by Debbie Garza, Library Director.

Motion authorizing the County Judge to sign the Baker & Taylor DVD lease renewal agreement.

Motion by: Ramsey
For: All (4)

Second by: Prude
Against: None

Exhibit: 132-133
Abstaining:

28. Discuss and take action hiring Library Specialist I at a Grade 11, Step 4.

Presented by Debbie Garza, Library Director. The candidate has a master's in library science. Mitzi Baker, Treasurer answered the Courts questions.

Motion to do a onetime exception based on a MLS Degree of hiring her at an 11.4.

Motion by: Prude
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 134-138
Abstaining:

29. Discuss and take action on usage policy for Library's Business Resource & Information Center.

Presented by Debbie Garza, Library Director. They are transferring one of the study rooms into a Business Resource and information center.

Motion that we approve the policy for MCPL Business Resource & Information Center.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 139-141
Abstaining:

30. Receive E-resources report for Library.

Presented by Debbie Garza, Library Director and Matthew Glaser, Assistant Library Director.

Report only no action necessary.

Exhibit:142-154

31. Receive Exhibits report for Library.

Presented by Debbie Garza, Library Director and Julie Pearson, Assistant Library Director.

Report only no action necessary.

Exhibit: 155-157

32. Discuss and take action on Grant Application #3640504 for Restitution Specialist.

Presented by Laura Nodolf, District Attorney. The grant has a 20% cash match of \$15,758.23 that will be funded out of the District Attorney special account.

Motion to submit the OOG grant application #3640504 for restitution specialist.

Motion by: Ramsey Second by: Donnelly Exhibit: 158
For: All (4) Against: None Abstaining:

33. Discuss and take action on Resolution letter for Grant #3640504 for Victim's Assistance Grant.

Presented by Laura Nodolf, District Attorney.

Motion that the Commissioners Court sign the resolution letter for grant #3640504 Victim's assistance grant.

Motion by: Donnelly Second by: Prude Exhibit: 159-160
For: All (4) Against: None Abstaining:

34. Discuss and take action on CEO/Law Enforcement Certifications and Assurances Form for Grant #3640504.

Presented by Laura Nodolf, District Attorney.

Motion for the County Judge to sign the certification and assurance forms for Grant #3640504 Victim assistance grant.

Motion by: Donnelly Second by: Prude Exhibit: 161-162
For: All (4) Against: None Abstaining:

35. Discuss and take action on TechShare Prosecutor Resource Sharing Agreement.

Presented by Laura Nodolf, District Attorney. This is an annual agreement. Commissioner Donnelly stated how good the Prosecutor program is. The Court program is 90% up.

Motion that we approve for the County Judge to sign the Techshare Prosecutor Resource Sharing Agreement.

Motion by: Donnelly Second by: Prude Exhibit: 163-174
For: All (4) Against: None Abstaining:

36. Discuss and take action on new A.R.T.S. rose trial to be planted in place of the old roses in front of Courthouse.

Presented by Jenny Hilton, County Judge Administrator.

Motion that we approve the A.R.T.S rose trial to be planted in front of the old roses in front of the Courthouse.

Motion by: Donnelly Second by: Ramsey Exhibit: 175
For: All (4) Against: None Abstaining:

37. Receive Covid update.

Presented by Robert Segura, HR Director.

Report only no action necessary. Exhibit: 176-177

38. Discuss and take action on Midland County Internship Program for Summer 2022.

Presented by Robert Segura, HR Director. This has been budgeted.

Motion to bring back the Annual Midland County Internship Program for Summer 2022.

Motion by: Ramsey Second by: Prude Exhibit: 178
For: All (4) Against: None Abstaining:

39. Discuss and take action allowing HR to host Chili Cook-Off.

Presented by Robert Segura, HR Director. Target date of March 17, 2022.

Motion that we allow HR to host a Chili Cook-off this year.

Motion by: Prude Second by: Ramsey Exhibit: 179
For: All (4) Against: None Abstaining:

40. Discuss and take action on LEB renovation.

Presented by Kristy Engeldahl, Purchasing Agent. Burns Architects suggested a small renovation to the LEB to meet our immediate needs. We have a quote from LMC Corp. in the amount of \$89,846.69 using the buyboard cooperative contract. Andrew Avis, Public Works Director joined the conversation. The funds will be moved from capital projects into building maintenance.

Motion to accept the quote from LMC Corp. as the suggestion from Burns Architects for the small renovation on the LEB in the amount of \$89,846.69.

Motion by: Ramsey Second by: Donnelly Exhibit: 180-192
For: All (4) Against: None Abstaining:

41. Discuss and take action establishing a procedure for obtaining/assigning security camera access.

Presented by Mike Atkins, IT Director. Would like to establish a procedure for security camera access. There was a discussion about Courthouse security being the arbitrator. Tabled for more information. Exhibit: 193

42. Discuss and take action on Microsoft License Agreement for Library.

Presented by Mike Atkins, IT Director.

Motion that we obtain the Judges signature for the Microsoft license agreement for the Library.

Motion by: Donnelly Second by: Ramsey Exhibit: 194-199
For: All (4) Against: None Abstaining:

43. Discuss and take action on agreement with Magrym to perform schematics for concept of SH 1379.

Presented by Andrew Avis, Public Works Director and Commissioner Donnelly. Asked for some studies of SH 1379. They wanted to look north of 307. There was a discussion to have the funds come out of Commissioner Courts professional services account. \$17,700.00. County Attorney, Russell Malm stated he would need to make some minor changes to the agreement.

Motion that we authorize the agreement with Magrym to perform initial schematics to define concepts for State Highway 1379 for uses as coordination with TxDot.

Motion by: Donnelly Second by: Ramsey Exhibit: 200-206
For: All (4) Against: None Abstaining:

Recall line-item transfers item 24

10:31am take a 10min break.
10:46am back into Regular Session.

44. Discuss and take action on Accordion Rose Plat.

Presented by Andrew Avis, Public Works Director. New development in Precinct 2.

Motion that we approve the Accordion Rose addition.

Motion by: Donnelly Second by: Ramsey Exhibit: 207-208
For: All (4) Against: None Abstaining:

45. Discuss and take action authorizing Public Works to utilize Flood Plain Permit Application Form.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize Public Works to utilize Flood Plain Permit Application form.

Motion by: Donnelly Second by: Ramsey Exhibit: 209-211
For: All (4) Against: None Abstaining:

46. Discuss and take action on land acquisition, design, and construction of CR 120 extension to CR 1210.

Presented by Andrew Avis, Public Works Director. There has been some confusion in this area. This will take some land acquisition and some time to accomplish.

Motion authorizing the Department of Public Works to execute land acquisition, design, and construction of CR 120 extension to CR 1210.

Motion by: Ramsey Second by: Donnelly Exhibit: 212-217
For: All (4) Against: None Abstaining:

There was some discussion about a caliche road during the interim. Ruben Mata, Facilities Director, Kristy Engeldahl, Purchasing Agent and Russell Malm, County Attorney joined the conversation. This is a safety concern.

Motion that we approve the Public Works Department to commence land acquisitions, design, and construction of CR 120 extension to CR 1210 with the exemption of 262.024 part 2 being a safety issue. Necessary to protect the health and safety of the public.

Motion by: Donnelly Second by: Ramsey Exhibit: 212-217
For: All (4) Against: None Abstaining:

47. Discuss and take action on variances for Greenwood Country Estates Phase 3.

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

Motion that we allow the variances to subdivision called Greenwood Country Estates Phase 3 subject to supply of water from park water to the subdivision.

Motion by: Donnelly Second by: Ramsey Exhibit: 218-254
For: All (4) Against: None Abstaining:

48. Discuss and take action on contracts with Reese Albert for CR 1232 Phase 3 and LOSA at SH 158.

Presented by Andrew Avis, Public Works Director.

Motion authorizing the County Judge to execute the County form contract with Reese Albert for previously awarded projects via RFP for CR 1232 phase 3 and LOSA at SH 158.

Motion by: Ramsey
For: All (4)

Second by: Donnelly
Against: None

Exhibit: 255-293
Abstaining:

49. Discuss and take action on Marks Landing Plat

Presented by Andrew Avis, Public Works Director.

Motion that we authorize the County Judge to sign the mylars for Marks Landing Plat.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 294-295
Abstaining:

50. Discuss and take action on letter of no objection for CR 1232 Phase 3.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize the County Judge to sign the letter of no objection for the crossing of the Nustar pipeline at CR 1232 Phase 3 project.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 296-306
Abstaining:

51. Receive presentation regarding public works planning.

Hold for Executive Session.

Exhibit: 307

52. Discuss and take action on dedication process of private roads into county maintenance and preservation.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize the Department of Public Works and Department of Road and Bridge to begin dedication process of private roads into the county system of maintenance and preservation.

Motion by: Donnelly
For: All (4)

Second by: Ramsey
Against: None

Exhibit: 308-319
Abstaining:

53. Discuss and take action on agreement with Grantworks.

Tabled.

54. Discuss and take action on contract with Normandy Group.

Tabled.

55. 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.

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

1. EnLink Crude Pipeline LLC on ECR 190
2. Targa Pipeline Mid-Continent WestTex, LLC on ECR 120
3. City of Odessa on WCR 122
4. City of Odessa on Yukon Road

Motion to pass these.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 320-333
Abstaining:

Recall item 25

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

Not announced.

57. Conduct Executive session pursuant to Texas Government Code Section 551.074 to discuss personnel matters.

58. Conduct Executive session pursuant to Texas Government Code Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.

11:12am go into Executive Session.

11:13 back into Regular Session to announce item 57

11:13am go into Executive Session

59. Conduct Executive session pursuant to Texas Government Code Section 551.076 to discuss security devices.

Not announced.

11:57am back into Regular Session

60. Adjourn.

Motion to adjourn.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit:
Abstaining:

Adjourn at 11:57a.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, February 28, 2022, on or after 9:00a.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 February 14, 2022.





Alison Haley, County Clerk