



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

Be it remembered that on Friday the 26<sup>th</sup> day of February, 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 Monsignor Larry Droll, St. Ann's Catholic Church.**

**3. Pledges of Allegiances.**

**4. Acknowledge February's I.M.P.A.C.T.S. of the Month, Josh Ureta.**

Presented by Robert Segura, HR Director. Josh Ureta was announced as February's I.M.P.A.C.T.S. honoree.

Motion to acknowledge.

Motion by: Prude	Second by: Donnelly	Exhibit: 13
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**5. Acknowledge collections report for JP 1.**

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

Motion to acknowledge.

Motion by: Prude	Second by: Donnelly	Exhibit: 14-36
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**6. Acknowledge collections report for JP 2 and JP 4.**

Presented by Judge John Barton, Justice of the Peace Precinct 4. These are the reports for October – December 2020.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 37-87
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**7. Discuss and take action on court minutes from February 8, 2021.**

Presented by Alison Haley, County Clerk.

Motion to approve the court minutes from February 8, 2021.

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

**8. Discuss and take action on court fees from County and District Clerks' Offices.**

Alison Haley, County Clerk presented the fees for January 2021.

Motion to acknowledge.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 88-102
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**9. Discuss and take action on purchase of water from alternative funding for County Clerk's Office.**

Presented by Alison Haley, County Clerk. The drinking water still does not work in the office. It has been 3 months. Road and Bridge and Emergency Management have given us water. Commissioner Ramsey suggested the unit from the Commissioners Court be switched with the unit in the County Clerks' office.

Motion to authorize you (Alison Haley, County Clerk) to purchase drinking water on the contingent that moving this Kinetico unit to your office does not work.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 103
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**10. Discuss and take action on County Assistance Tax District.**

Presented by Judge Terry Johnson wanted to start a conversation about calling an election for County Assistance Tax District. Commissioner Donnelly stated that he did not think this was a good idea. Commissioner Sanchez stated that it would not be the Commissioners that made the decision it would be the people that would make the decision during an election. It has worked for Ector County. Commissioner Donnelly stated that sales tax has always concerned him. There was some discussion about the jail bond. The County Auditor, Veronica Morales joined the conversation. Russell Malm, County Attorney made the statement that these funds could not be used for water. Commissioner Prude stated this would be an amazing opportunity. Commissioner Ramsey stated that he has the opposite opinion and read a prepared statement that taxes are not good during this time of recovery. A new tax is not needed and should not be passed. Commissioner Sanchez commented on Commissioner Ramsey's statement about the differences between Republicans and Democrats. This would be a disproportional tax on those that live in the County. Commissioner Sanchez asked what the next step would be for this item. Judge Johnson stated that they would need to launch a campaign and have it put on the ballot. Tabled for more information. Exhibit: 104-113

**11. Discuss and take action on agreement with the Normandy Group.**

Judge Terry Johnson stated that he would like to hire Henry Bonilla, Normandy Group to help Midland County with federal funding opportunities. Commissioner Donnelly stated that he does not know how this group could be beneficial to the County. Commissioner Ramsey asked if we would need to go out for bid for this. County Attorney, Russell Malm said that they did not need to go out for bids. Commissioner Ramsey said he has not had no opportunity to speak to the Normandy Group. Tabled for now. Exhibit: 114-122.

**12. Discuss and take action on Treasurer's Monthly Report for October 2020.**

Presented by Mitzi Baker, Treasurer.

Motion approving the Treasurer's monthly report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 123-127
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**13. Discuss and take action determining if Friday, December 31, 2021 will be a county holiday.**

Presented by Mitzi Baker, Treasurer. This information will help with planning the pay periods and deductions. New Year's Day falls on a Saturday this year.

Motion to determine that Friday, December 31, 2021 will be a county holiday.

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

**14. Discuss and take action paying down comp time to the limits allowed by Personnel Policy 6.08.**

Presented by Mitzi Baker, Treasurer. This report is for 4 months.

Motion to pay down the comp time to the limits of the Personnel Policy 6.08.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 129-130
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 131
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Veronica Morales, Auditor. There were a few line item transfers brought to the Courts attention.

Motion to approve all line item transfers.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 132-144
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Veronica Morales, Auditor. There were a few exceptions to discuss. There was an additional bill for Daniel Arrieta for the flights for out of State travel for the death investigators. \$837.90 reimbursement for flights.

Motion that we pay all bills including the additional bills and the exceptions.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 145-150
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**18. Discuss and take action on court-ordered medication for inmate being held in Wilbarger County.**

Presented by Judge Terry Johnson for Judge Robnett, 441<sup>st</sup> District Court. Requesting payment of \$720.00 for court ordered medication for an inmate.

Motion authorizing the court to pay the \$720.00 cost to Wilbarger County for this particular inmate using contingency funds.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 151-152
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**19. Discuss and take action on out-of-state travel for Carlos Castanos to attend Death Investigator Training in Cuba, Missouri, March 22-26, 2021.**

Presented by Carlos Castanos, Death Investigator. This will help us become better death investigators.

Motion to approve out of state travel.

Motion by: Prude	Second by: Sanchez	Exhibit: 153
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**20. Discuss and take action on bond for Election Administrator.**

Presented by Robert Segura, HR Director. This is for the Election Administrator for \$50.00 even.

Motion to approve purchase of the bond.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 154
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**21. Discuss and take action on Policy 6.07 Exemptions from FLSA.**

Presented by Robert Segura, HR Director. We cannot dock people in less than 8 hours increments. This is only for exempt employees. County Attorney, Russell Malm stated that this is not changing the policy it is just making it easier to understand.

Motion that we adopt this amendment to the exemption from FLSA overtime compensation 6.07.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 155-156
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**22. Discuss and take action authorizing County Judge to sign grant proposals with Texas State Library and Archives Commission (TSLAC).**

Presented by Debbie Garza, Library Director and Megan Buck, Associate Library Director. There are no matching requirements.

Motion to authorize the County Judge to sign the grant proposals with Texas State Library and Archives Commission.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 157-162
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Veronica Morales, Auditor asked if next time they could agenize them separately.

**23. Discuss and take action on contract with Amy Stewart for Zoom lecture.**

Presented by Megan Buck, Associate Library Director. There is no additional cost to the County.

Motion to have Judge Johnson sign the contract with Amy Stewart for Zoom lecture.

Motion by: Donnelly                      Second by: Prude                      Exhibit: 163-164  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**24. Discuss and take action on payment of invoice with Kofile.**

Presented by Alex Archuleta, District Clerk. Tabled for more information.  
Recalled. Veronica Morales, Auditor explained this needs to be tabled for more information.

*Call item 33*

**25. Acknowledge the Racial Profiling Report for 2020.**

Presented by Sheriff Criner and Captain Rod Allee. There was a correction noted on the 6<sup>th</sup> page item 12 c was adjusted and 2<sup>nd</sup> page the amount for outstanding warrants went from 28-29.

Motion acknowledging racial profiling report for 2020.

Motion by: Ramsey                      Second by: Donnelly                      Exhibit: 165-175  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**26. Acknowledge the Sheriff’s Office January 2021 Report.**

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly                      Second by: Sanchez                      Exhibit: 176-177  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**27. Discuss and take action replacing eight doors to the SHU.**

Presented by Sheriff Criner and Lt. Rebecca Thompson. The cost will be \$46,561.27. Special Housing Unit.

Motion to approve to replace eight doors in the SHU.

Motion by: Donnelly                      Second by: Ramsey                      Exhibit: 178-179  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**28. Acknowledge Detention Fees for January 2021.**

Presented by Sheriff Criner. This is a monthly report. There is a typo the bail bond fee should \$1,995.00

Motion to approve the fees collected by the Sheriff’s office with the amendment to \$1,995.00.

Motion by: Ramsey                      Second by: Donnelly                      Exhibit: 180-181  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**29. Acknowledge donation in the amount of \$40.00 for Mounted Patrol.**

Presented by Sheriff Criner. Donation from Bonnie Hudson.

Motion to acknowledge \$40 donation from Bonnie Hudson for Mounted Patrol.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 182-185
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**30. Acknowledge Mounted Patrol Division on their efforts in successful recovery of a missing individual.**

Presented by Sheriff Criner. Read a letter sent by the Tom Green County Sheriff's office.

Motion to acknowledge how the Midland County Mounted Patrol gave their endless effort and assisted the successful recovery of this missing individual in Tom Green County.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 186-188
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**31. Discuss Administration Leave/Closing Policies.**

Sheriff Criner asked the Court to look into the administrative leave and closing policy. He would like those that are here working during emergency closing be awarded comp time for the hours they worked. Mitzi Baker, Treasurer stated how the policy currently works. Commissioner Sanchez thanked the Treasurer for her explanation. There was some more discussion amongst the Commissioners. No action taken. Exhibit 189-191.

**32. Discuss and take action on Administrative Leave for employee(s) with Sheriff's Office.**

Hold for Executive Session. Recalled.

Motion to approve administrative leave for employees with the Sheriff's office.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 192
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

**33. Acknowledge donation in the amount of \$12,000.00 for Sheriff's Office.**

Presented by Sheriff Criner and Sgt. Subia. Lance VanZandt, Chase McCain and Darrell Dunton with Honor the Blue held a fundraiser and want to donate \$12,000.00 to the Sheriff's Office.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 193-194
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

*Back to item #25*

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

Presented by Justin Bunch, Emergency Management. The current burn ban expired on February 21, 2021. There were some alternates discussed.

Make the recommendation that we adopt a burn ban with the few options proposed from sunrise to 9am, winds below 15 mph, household trash only, must be contained in a barrel or other container, cannot be in an open pit, must be observed by a responsible adult during entire burning process, must have a sufficient water source within reach of the person responsible for the fire for 30 days starting on 2/27/2021.

Motion by: Donnelly                      Second by: Ramsey                      Exhibit: 195-198  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**35. Receive response update.**

Presented by Justin Bunch, Emergency Management. There was a power point presentation that is attached as an exhibit. There was a Covid-19 update and a discussion about the severe winter weather storm.

Motion to acknowledge response update.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 199-214  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**36. Discuss and take action on fleet accidents and damage report.**

Presented by Justin Bunch, Emergency Management.

Motion to acknowledging fleet accident and damage report.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 215-217  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**37. Discuss and take action replacing damaged X-ray Inspection Machine(s).**

Presented by Justin Bunch, Emergency Management. \$28,333.00. Insurance is paying and paying for the fire watch.

Motion to replace damaged x-ray inspection machines.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 218-220  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

*Recalled by Kristy Engeldahl, Purchasing Agent.*

Kristy Engeldahl, Purchasing agent stated the County has gone over the \$50,000.00 limit with Smiths Detection and need the Court to declare an exception to bid declaring it necessary for the health and safety of the citizens. Russell Malm, County Attorney concurred.

Motion to approve the damaged x-ray inspection machines and not go out for bid for the health and safety of the citizens of Midland County.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 218-220  
For: Johnson, Ramsey,                  Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**38. Discuss and take action on purchase of equipment for Elections.**

Presented by Kristy Engeldahl, Purchasing Agent and Carolyn Graves, Elections Administrator. Elections is wanting to purchase some equipment including a curbside cart, 4 scanners and 20 ballot marking devices. We have received a quote from Election Systems & Software using the Buyboard Contract, in the amount of \$98,040.00 and \$4,310 for warranty license and maintenance fees. Also \$1,990 for the curbside cart. I do believe that Elections has submitted a line item transfer for these costs.

Motion to approve the purchase of equipment for elections and to having the County Judge sign the agreement.

Motion by: Ramsey                      Second by: Sanchez                      Exhibit: 221-224  
For: Johnson, Ramsey,              Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**39. Discuss and take action on fence and tree removal at Precinct 3 Cluster B Capital Improvement Project.**

Presented by Andrew Avis, Public Works Director. \$11,250.00 additional funds needed.

Motion to approve the fence and tree removal at Precinct 3 cluster B capital improvement project with the funds to come out of contingency infrastructure and capital outlay.

Motion by: Sanchez                      Second by: Donnelly                      Exhibit: 225-226  
For: Johnson, Ramsey,              Against:                                      Abstaining:  
Donnelly, Sanchez, Prude

**40. Discuss and take action on Midland County Law Enforcement Complex.**

Presented by Commissioner Ramsey and Andrew Avis, Public Works Director. Commissioner Ramsey stated the he had a meeting with Sheriff Criner, Eddie Melendez, Facilities Director, Andrew Avis, Public Works director and members of the US Marshall's office to discuss a jail expansion. We have land, stakeholders and goals what do we do now. We need a plan now to move forward in the future. This is to approve for an RFQ.

Motion to approve the RFQ for Program Manager / Architect to Produce a Master Plan for the Midland County Law Enforcement Complex.

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

**41. Discuss and take action on added concrete scope of work at WCR 127 Phase I Capital Improvement Project.**

Presented by Andrew Avis, Public Works Director. This is an old issue. \$15,750.00 additional funds needed.

Motion approving the added concrete scope of work at WCR 127 phase 1 capital improvement project with the extra funds to come from capital outlay infrastructure.

Motion by: Ramsey                      Second by: Donnelly                      Exhibit: 228-232  
For: Johnson, Ramsey,              Against:                                      Abstaining:  
Donnelly, Sanchez, Prude



**42. Discuss and take action on road project letting in Spring 2021.**

Presented by Andrew Avis, Public Works Director. We have had \$450,000.00 in change orders within our fiscal year budget.

Motion that we approve the letting of 1232 CLOMR CTIF project and 1270 Phase 1.

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

Second by: Donnelly  
Against:

Exhibit: 233-234  
Abstaining:

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

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

1. Pinnacle Dos Picos, LLC on CR 170
2. Pinnacle Dos Picos, LLC on CR 190
3. DE3 Operating, LLC on SCR 1110
4. XTO Holdings, LLC on WCR 320
5. DE3 Operating, LLC on CR 1232 and 1110

Motion to pass all of these.

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

Second by: Sanchez  
Against:

Exhibit: 235-261  
Abstaining:

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

*11:47am go into Executive Session*

*11:57am back into regular session.*

*Recall Item 32, 10 and 24*

**45. Adjourn.**

Motion to adjourn.

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

Second by: Sanchez  
Against:

Exhibit:  
Abstaining:

Adjourn at 12:08p.m.

**A Meeting of the Commissioners Court will be held on Monday, March 8, 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 February 26, 2021.**



  
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Alison Haley, County Clerk