



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

Be it remembered that on Monday the 28th 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;
- 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 Fr. Timothy Hayter, St. Ann’s Catholic Church.**
- 3. Pledges of Allegiances.**
- 4. Discuss and take action on additional funds for work associated with TWDB Flood Study Grant.**

Presented by Andrew Avis, Public Works Director. They are requesting more money for the study. Commissioner Sanchez said this is long overdue. Commissioner Donnelly commended Mr. Avis for the work he has done.

Motion that we authorize addition funds for work associated with TWDB Flood study grant and the funds to come out of contingency in the amount of \$118,000.00.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 16-52
For: All (5)	Against: None	Abstaining:

Recalled item 4

Motion that we approve \$118,000.00 from contingency for the additional funds for work associated with TWDB Flood Study grant.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 16-52
For: All (5)	Against: None	Abstaining:

Call item 14

- 5. Discuss and take action on out-of-state travel for Investigator Zoe Wimmer to attend the University of Tennessee National Forensics Academy in Knoxville, TN, March 28 – June 6, 2022.**

Presented by Sheriff Criner. Veronica Morales, Auditor mentioned \$400.00 being advanced for certification.

Motion that we approve this travel.

Motion by: Prude	Second by: Donnelly	Exhibit: 53-61
For: All (5)	Against: None	Abstaining:

- 6. Discuss Jail inspection.**

Presentation by Sheriff Criner. We passed the inspection. No action taken.

Exhibit: 62-65

7. Discuss and take action reimbursing inmate for lost earring.

Presented by Sheriff Criner. We do have the funds in our budget.

Motion allowing the reimburse to the inmate for the lost earring coming out of the Sheriff's budget.

Motion by: Ramsey Second by: Donnelly Exhibit: 66-68
For: All (5) Against: None Abstaining:

8. Acknowledge Midland County Sheriff's Office January 2022 report.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly Second by: Sanchez Exhibit: 69-70
For: All (5) Against: None Abstaining:

9. Acknowledge the Racial Profiling Report for 2021.

Presented by Sheriff Criner.

Motion to acknowledge the racial profiling report for 2021.

Motion by: Ramsey Second by: Donnelly Exhibit: 71-80
For: All (5) Against: None Abstaining:

10. Discuss and take action on donation in the amount of \$15,000.00 from Diamondback Energy to Midland County Sheriff's Office donation account.

Presented by Sheriff Criner.

Motion to approve the donation in the amount of \$15,000.00 from Diamondback Energy to Midland County Sheriff's Office donation account.

Motion by: Sanchez Second by: Prude Exhibit: 81-85
For: All (5) Against: None Abstaining:

11. Discuss and take action on budget amendment of \$15,000.00 donation for law enforcement supplies.

Presented by Sheriff Criner.

Motion to approve the budget amendment item of \$15,000.00 for law enforcement supplies for the Sheriff's Office.

Motion by: Prude Second by: Sanchez Exhibit: 86-87
For: All (5) Against: None Abstaining:

12. Discuss and take action on donation in the amount of \$10,000.00 from XTO Energy for bulletproof vest for the Midland County Sheriff's Office.

Presented by Sheriff Criner.

Motion to approve the \$10,000.00 from XTO Energy for bulletproof vest.

Motion by: Ramsey Second by: Donnelly Exhibit: 88-92
For: All (5) Against: None Abstaining:

13. Discuss and take action on budget amendment of \$10,000.00 donation for bulletproof vests.

Presented by Sheriff Criner.

Motion to approve the budget amendment for the \$10,000.00 donation.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 93-94
Abstaining:

14. Discuss and take action on Letter of Intent to Reliable Chevrolet.

Presented by Sheriff Criner and Lieutenant Richard Hain. This letter will just hold 14 units for the Sheriff's Office. Kristy Engeldahl, Purchasing Agent joined the conversation.

Motion that we issue a letter of intent for 14 units for the Sheriff's Department to Reliable Chevrolet.

Motion by: Donnelly
For: All (5)

Second by: Prude
Against: None

Exhibit: 95
Abstaining:

15. Discuss and take action allowing crosswalk on Market Street.

Presented by Ruben Mata, Road and Bridge Administrator. UPS has stated they will pay for the crosswalk and signs. They are asking for permission only. Commissioner Ramsey asked if they could put rumble strips as well. Ruben Mata stated he would mention this to UPS. Commissioner Sanchez stated they should request the rumble strips and maintain them. Russell Malm, County Attorney stated that other businesses might start to ask for the same thing. Perhaps a policy would be beneficial for future requests.

Motion to approve the installation by UPS of a crosswalk on Market Street.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 96-97
Abstaining:

16. Discuss and take action on court minutes from February 14, 2022.

Presented by Alison Haley, County Clerk

Motion to approve the court minutes from February 14, 2022.

Motion by: Sanchez
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 98
Abstaining:

Call item 19

Call item 44

17. Receive presentation from Midland County Fair in presenting Emergency Management Staff with recognition for excellent service.

Presented by Kasey Allen and Dan Corrales, Midland County Fair. Last year they had 23,000 attendees. They want to recognize the Midland County Emergency Management staff, Warrant Services and Mounted Patrol for excellent service during the event.

No action needed.

Exhibit: 99-100

18. Discuss and take action on donation from Midland County Fair for purchase of SKID for Emergency Management.

Kasey Allen and Dan Corrales, Midland County Fair presented a check for \$2,500.00 for the purchase of SKID for Emergency Management.

Motion to approve the donation from the Midland County Fair to purchase the SKID for Emergency Management.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 99-100
Abstaining:

Call item 46

19. Discuss and take action on Treasurer's monthly reports for November and December 2021.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge Treasurer's monthly report.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 101-109
Abstaining:

20. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer. The last new hire listed will start March 2, 2022 it will come from the regular library part time fund 100-800-00-5010 until further notice.

Motion to acknowledge the payroll summary report.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 110-111
Abstaining:

21. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There was one brought to the Courts attention, number 4049.

Motion to approve line-item transfer.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 112-123
Abstaining:

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

Presented by Veronica Morales, Auditor. There was one wire transfer. There was one exception brought to the Courts attention.

Motion to approve bills and wire transfers.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 124-132
Abstaining:

23. Discuss and take action authorizing County Judge to sign contract with FMH Foundation for exhibit funding in the amount of \$80,000.00 for 2022 exhibits.

Presented by Matthew Glaser, Associate Library Director and Chris Stonedale, Executive Director of the Midland County Public Library Foundation.

Motion authorizing the County Judge to sign the FMH grant contract.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 133-136
Abstaining:

24. Discuss and take action on application of 2022 American Library Association Game On Grant for \$475.00.

Presented by Matthew Glaser, Associate Library Director.

Motion that the Court give permission to apply for the ALA Game On Grant.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 137-139
Abstaining:

25. Discuss and take action on Library donations.

Presented by Matthew Glaser, Associate Library Director.

Motion to approve the Library donations.

Motion by: Sanchez
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 140-143
Abstaining:

26. Discuss and take action authorizing County Judge to sign Memorandum of Understanding between Casa de Amigos of Midland and Midland County Public Libraries.

Presented by Matthew Glaser, Associate Library Director. Russell Malm, County Attorney stated that he would like to add a sentence stating that either party can terminate at any time. Commissioner Donnelly stepped away from the bench during the voting.

Motion that we authorize the County Judge to sign the memorandum of understanding between Casa de Amigos of Midland and Midland County Public Libraries and also include the sentence that the County Attorney just mentioned.

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

Second by: Ramsey
Against: None

Exhibit: 144-146
Abstaining:

27. Discuss and take action on reappointment of Elections Administrator.

Cathy Broadrick, member of the public and the Midland Texas Democratic Party Chair addressed the Court. Ms. Broadrick is in favor of re-appointing Carolyn Graves. She expressed her concern about the large number of rejected mail in ballots. Ken Colston, Risk Management addressed to Court.

Motion to reappoint Carolyn Graves as our Elections Administrator.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 147-149
Abstaining:

28. Discuss and take action on bond renewal for Elections Administrator.

Presented by Ken Colston, Risk Manager.

Motion that we renew the bond for the Elections Administrator.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 150-156
Abstaining:

29. Discuss and acknowledge damage and fleet accident report.

Presented by Ken Colston, Risk Manager.

Motion to acknowledge damage and fleet accident report.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 157-163
Abstaining:

30. Discuss and take action allowing Risk Management to pay and provide CPR/AED training to county public safety volunteers and reservists.

Presented by Ken Colston, Risk Manager. These individuals represent Midland County very well. It is \$35 per person to take the training. Russell Malm, County Attorney asked if this was a benefit to the County. Ken Colston stated it is a benefit to the County. Justin Bunch, Emergency Management Coordinator joined the conversation.

Motion that we approve CPR/AED training for reservists in CIU and the benefit is that they represent Law Enforcement in the County, and this is a safety issue for residents.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 164
Abstaining:

31. Discuss and take action authorizing County Judge to sign 2022 Emergency Management Performance Grant (EMPG) Application.

Presented by Justin Bunch, Emergency Management Coordinator.

Motion authorizing the County Judge to sign the 2022 Emergency management performance grant application.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 165
Abstaining:

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

Presented by Kristy Engeldahl, Purchasing Agent. SO – Patrol, SO – CIU, SO – Records and JP1&JP3 need new machine leases.

Motion that we have the County Judge sign the Ricoh lease agreement.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 166-195
Abstaining:

33. Discuss and take action going out for bid to purchase rock for Road & Bridge.

Presented by Kristy Engeldahl, Purchasing Agent. Road and Bridge needs to purchase 10,000 tons of rock for seal coating. This will exceed the \$50,000.00 threshold and we need to go out for bid.

Motion that we go out for bid to purchase rock for Road and Bridge.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 196
Abstaining:

34. Discuss and take action authorizing County Judge to sign Interlocal Agreement with City of Grand Prairie.

Presented by Kristy Engeldahl, Purchasing Agent. This will allow us to piggyback off the City of Grand Prairie contracts. Currently they have a contract with Angel Armor.

Motion authorizing the County Judge to sign the Interlocal agreement with the City of Grand Prairie.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 197-202
Abstaining:

35. Discuss and take action authorizing County Judge to sign GrantWorks contract.

Presented by Kristy Engeldahl, Purchasing Agent. This is the contract with the ARPA consulting firm. Veronica Morales, Auditor joined the conversation. The change was to add the summary of charges.

Motion that we approve the contract with that change (the invoice summary of charges).

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 203
Abstaining:

36. Discuss and take action on additional funds for tire machine repair.

Presented by Kristy Engeldahl, Purchasing Agent. They have a quote for \$999.95 from Snellgrove Snap-on/ AB automotive Equipment. The funds would need to come out of contingency.

Motion that we approve the repair of the tire machine through AB Automotive Equipment in the amount of \$999.95 out of contingency.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 204-205
Abstaining:

Recalled item 36

Motion that we authorize a line-item transfer from contingency to fleet maintenance in the amount of \$1,000.00

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 204-205
Abstaining:

**ADDENDUM
MIDLAND COUNTY COMMISSIONERS COURT MEETING
February 28, 2022 on or after 9:45 a.m.**

1. Discuss and take action canceling Absolute Fire monitoring service.

Presented by Eddie Melendez, Facilities Director. We want to stop using Absolute Fire and go with Firetrol Protection. Mike Atkins, IT Director joined the conversation.

Motion that we cancel the Absolute Fire monitoring service.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 206
Abstaining:

2. Discuss and take action authorizing County Judge to sign Firetrol Protection Systems Agreement.

Presented by Eddie Melendez, Facilities Director.

Motion to authorize the County Judge to sign Firetrol Protection Systems Agreement.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 207-210
Abstaining:

37. Discuss and take action on contract change order to Danny's Paving for project's payment and performance bond for CR 1250.

Presented by Andrew Avis, Public Works Director. Need an additional \$14,913.00 from Road and Bridge Capital Outlay.

Motion authorizing the contract change order to Danny's Paving for the premium costs associated with the project's payment and performance bond.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 211-212
Abstaining:

38. Discuss and take action on contract change order to Reece Albert for project's payment, performance bond, and additional work at SH 158.

Presented by Andrew Avis, Public Works Director. Need an additional \$24,920.00 added taper and \$7,207.00 for bond from Road and Bridge Capital outlay.

Motion that we authorize the contract change order to Reece Albert for the premium cost associated with the project's payment and performance bond and additional work at existing SH 158.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 213
Abstaining:

39. Discuss and take action on change order to SH 158 LOSA contract for additional excavation and embankment.

Presented by Andrew Avis, Public Works Director. Need and additional \$41,713.30 from Road and Bridge Capital Outlay.

Motion that we authorize a change order to SH 158 LOSA contract with Reese Albert to account for additional excavation and embankment.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 214-217
Abstaining:

40. Discuss and take action on change order to 1232 Phase III contract for foam board at existing pipeline.

Presented by Andrew Avis, Public Works Director. Need an additional \$5,300.00 from CTIF budget.

Motion that we authorize the change order to 1232 Phase 3 contract to accommodate added foam board at an existing pipeline.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 218-219
Abstaining:

41. Discuss and take action on contract change order to Reece Albert for project's payment and performance bond for CR 1232 Phase III.

Presented by Andrew Avis, Public Works Director. Need and additional \$51,111.00 from CTIF budget.

Motion that we authorize the contract change order to Reese Albert for the premium cost associated with the project's payment and performance bond.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 220-222
Abstaining:

42. Discuss and take action authorizing County Judge to sign agreement with ETP Crude, LLC for pipeline crossings and reimbursement.

Presented by Andrew Avis, Public Works Director. \$125,000.00 from CTIF budget.

Motion to authorize the County Judge to sign the agreement with ETP Crude, LLC.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 223-231
Abstaining:

43. Acknowledge letter from Park Water Company.

Presented by Andrew Avis, Public Works Director, Jason Bethke, CEO of PBWU and Jay Edwards, Parkhill, Smith & Cooper. Appreciate working with MCUD and Public Works Department.

Motion to acknowledge the letter from Park Water Company.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 232-234
Abstaining:

*10:25am take a 10-minute break.
10:42am back into Regular Session*

*Recall item 4 and item 36
Call item 17*

44. Discuss and take action authorizing County Judge to sign contract with TXDoT for use of radio tower in Midland.

Presented by Commissioner Donnelly. This is simply an authorization for us to use the DPS tower in Odessa. This will be our fourth tower. This will fully expand our portable radio reception.

Motion that we acknowledge the receipt of the authorization to complete Midland Counties radio system.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 235-272
Abstaining:

45. Discuss and take action on Normandy Group contract.

Presented by Commissioner Scott Ramsey. It is time we discuss the viability of this contract. What is the benefit for Midland County to pay \$10,000.00 a month for this group to lobby Washington D.C.? We should be concentrating on the State level not the Federal level. Commissioner Prude suggested we invite the Normandy Group to address the Courts concerns. Commissioner Donnelly doesn't see the benefits to us. Judge Johnson stated he would also like for the Normandy Group to have an opportunity to address the Court. Tabled to allow a response from the Normandy Group. Exhibit: 273-277

Recalled item 17 and 18

46. Discuss issues related to the provision of water to Midland County residents.

Hold for Executive Session

47. 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. Target Hospitality on CR 1294
2. First Tier Construction on WCR 100
3. Rangefinder Excavation on WCR 125
4. Betenbough Homes on SCR 1118
5. Betenbough Homes on SCR 1118
6. Betenbough Homes on SCR 1118
7. Betenbough Homes on SCR 1118
8. Betenbough Homes on SCR 1118
9. Betenbough Homes on SCR 1118
10. Betenbough Homes on SCR 1118
11. Betenbough Homes on SCR 1118
12. Betenbough Homes on SCR 1118
13. Betenbough Homes on SCR 1118
14. Betenbough Homes on SCR 1118

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

1. Targa Pipeline Mid-Continent WestTex, LLC. On SCR 1160
2. Suddenlink Communications on WCR 130
3. Chevron USA, Inc. on SCR 1160
4. Chevron USA, Inc. on SCR 1160
5. Chevron USA, Inc. on SCR 1160
6. Chevron USA, Inc. on SCR 1160
7. Pioneer Natural Resources USA, Inc. on WCR140
8. Targa Pipeline Mid-Continent WestTex, LLC on SCR 1232
9. Atmos Energy on SCR 1130
10. Oncoor Electric Delivery Company on SCR 1130
11. Mid States Operating Company on ECR 190
12. Environmental Disposal Systems, LLC on CR 1020
13. Pinnacle Dos Picos, LLC on CR 190

Motion to pass all of these.

Motion by:
For: All (5)

Second by:
Against: None

Exhibit: 278-334
Abstaining:

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

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

11:21am go into Executive Session
12:35pm back into Regular Session

50. Adjourn.

Motion to adjourn.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit:
Abstaining:

Adjourn at 12:36p.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, March 14, 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 28, 2022.





Alison Haley, County Clerk