



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

Be it remembered that on Monday the 22nd day of March, 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 Dr. Darin Wood, First Baptist Church

3. Pledges of Allegiances.

Call item 9

4. Discuss interlocal agreement on water.

Presented by Jay Edwards, Parkhill stated this was a follow-up to the special meeting held on Friday, March 19, 2021 with the City of Midland, Midland County Utility District (MCUD) and the Midland County Fresh Water Supply District 1. Commissioner Sanchez thanked everyone for holding and attending the meeting. Commissioner Ramsey stated he did not think precinct one would be involved for the foreseeable future. Commissioner Donnelly asked Mr. Edwards several questions about the stated County population and the amount of water currently being provided. Veronica Morales, Auditor joined the conversation while asking about the funds the County is responsible for. Annual operation expense would be the Counties responsibility according to Mr. Edwards. Commissioner Prude asked about the revenue fees. The interlocal agreement did not cover the fee for the sale of the water to MCUD. County Attorney, Russell Malm joined the conversation. Robert Rendall, Parkhill joined the conversation. The Court stated a concern about the revenue not being included in the interlocal agreement. Commissioner Sanchez stated that the funds from the Senate bill could be used for water. Commissioner Sanchez asked for some clarification on the water supply. Commissioner Prude asked a few questions. County Judge Johnson stated there are other grants that could be used. To use these grant funds we must have a water source. The conversation continued. Commissioner Donnelly stated the expense of the \$50 million is and intent and not an obligation. Commissioner Ramsey asked what would happen if the funds are not available. Mr. Rendall stated the construction projects are dependent upon funding. Commissioner Ramsey thanked Mr. Edwards and Mr. Rendall for his presentation. Dr. Shelton Viney, President of MCUD addressed and thanked the Court. There were public members that wanted to speak on this matter.

James Wise of Midland Texa with the Greater Gardendale Water Supply Corporation thanked the court for hearing them today. In 2002 they started the Greater Gardendale Water Supply Corporation. This is a great opportunity for us. One half mile of pipeline in place. James Busbee, Jerry Gamble, Peggy Cox, Jake Wells and Wade Hudman indicated that Mr. Wise said all they wanted to say.

Exhibit: 14-19

5. Acknowledge retirement of Mary Hayes from the Treasurer's Office.

Presented by Robert Segura, HR Director. Mary Hayes has been with the County for 18 years. Commissioner Prude presented Mary Hayes with a certificate thanking her for her years of service. Mary Ann Espinoza, Chief Deputy on behalf of Mitzi Baker, Treasurer thanked Mary for her years of service. Veronica Morales, Auditor announced that Mary Hayes would be greatly missed.

Motion to acknowledge the retirement of May Hayes from the Treasurer's Office.

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

Second by: Donnelly
Against:

Exhibit: 20
Abstaining:

6. Acknowledge I.M.P.A.C.T.S. of the Month Honoree, Chea Simpson, from Library.

Presented by Robert Segura, HR Director. Melinda Terrier, Library Clerk read her nomination for Chea Simpson from the Library.

Motion to acknowledge IMPACTS of the Month.

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

Second by: Sanchez
Against:

Exhibit: 21
Abstaining:

7. Discuss and take action on proclamation for National Crime Victims' Rights Week.

Presented by Jeannie Smith with Legal Aid Midland. Commissioner Prude presented Jeannie Smith with a signed proclamation for National Crime Victims' Rights Week.

Motion authorizing the County Judge to sign the National Crime Victims' Rights Week proclamation.

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

Second by: Sanchez
Against:

Exhibit: 22
Abstaining:

8. Acknowledge February's Monthly Collections Report for JP 1.

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

Motion to acknowledge February's monthly collection report for JP 1.

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

Second by: Prude
Against:

Exhibit: 23-40
Abstaining:

9. Receive video presentation on County Government.

Presented by Commissioner Prude. View short video about Texas County Government.

Exhibit: 41

10. Discuss and take action court minutes from March 8, 2021.

Presented by Alison Haley, County Clerk.

Motion to approve.

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

Second by: Ramsey
Against:

Exhibit:
Abstaining:

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

Alison Haley, County Clerk presented fees for February 2021.

Motion to acknowledge.

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

Second by: Sanchez
Against:

Exhibit: 42-54
Abstaining:

12. Discuss and take action on personnel memoranda.

Presented by Mary Ann Espinoza, Chief Deputy Treasurer

Motion to approve personnel memoranda.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 55
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

13. Discuss and take action on new Authorized Representatives for TexStar and TexPool.

Presented by Mary Ann Espinoza, Chief Deputy Treasurer. Would like to appoint Araceli Reyes.

Motion to approve Araceli Reyes as the authorized representative for TexStar and TexPool.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 56-60
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

14. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were a few exceptions brought to the courts attention.

Motion to approve all line item transfers with the exception of line item transfer #2021-004134 in facilities budget.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 61-83
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Recalled

Motion to include that bill on our bills to be paid in the amount of \$23,000.00.

Motion by: Prude	Second by: Sanchez	Exhibit: 61
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Veronica Morales, Auditor. No wire transfers. There were a few exceptions to the bills. \$13,317.72 additional bill for Verizon.

Motion to pay all bills and wire transfers including the Verizon bill mentioned.

Motion by: Prude	Second by: Donnelly	Exhibit: 84-92
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

16. Discuss and take action on Financial Statements for October, November, and December 2020.

Presented by Veronica Morales, Auditor.

Motion to acknowledge.

Motion by: Prude	Second by: Donnelly	Exhibit: 93-121
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

17. Discuss and take action on budget amendment reducing total budgeted dollars for HIDTA 2020 Award.

Presented by Veronica Morales, Auditor.

Motion to approve budget amendment reducing total budgeted dollars for HIDTA 2020 Award.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 122-124
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

18. Acknowledge Tax Summary of All Collections for February 2021.

Presented by Karen Hood, Tax Assessor Collector.

Motion to acknowledge.

Motion by: Prude	Second by: Donnelly	Exhibit: 125-126
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

19. Discuss and take action on out-of-state travel for Robert Segura to attend Society of Human Resources Management (SHRM) Conference in Las Vegas, NV, September 9-12, 2021.

Presented by Robert Segura, HR Director

Motion to approve out of state travel for Robert Segura.

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

20. Discuss and take action authorizing closure of the Midland County Public Libraries on April 22-24, 2021 for staff development days.

Presented by Megan Buck, Associate Library Director. The dates are just April 22-23. This is a unique opportunity.

Motion to approve the closure of the Libraries for staff development days.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 128-131
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

21. Discuss and take action on library donations.

Presented by Megan Buck, Associate Library Director. All material.

Motion to acknowledge.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 132-133
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

22. Discuss and take action on proclamation for National Library Week.

Presented by Megan Buck, Associate Library Director. Welcome to your library.

Motion to approve the proclamation for National Library Week.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 134-135
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

23. Discuss and take action on payment of invoice with Kofile.

Presented by Alex Archuleta, District Clerk and Veronica Morales, Auditor. Jack Morris, Kofile answered the courts questions. Alison Haley, County Clerk answered the Courts questions. The Auditor listed some accounts some of the funds would come from out of the 2020 budget. The District Clerks Professional Services \$120.90, 276 fund \$219,026.00, 275 fund \$269,774.00, 277 fund \$62,987.00 and 225 fund \$382,000.00.

Motion to transfer \$564,799.00 from contingency to non-departmental professional services for fiscal year 2020 and pay the \$822,269.49 of non-department professional service 2020. In addition to the contingency being in non-departmental professional services I Authorize payment of \$1, 757,913.90 for payment of the Kofile invoice.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 126-183
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

24. Discuss and take action on burn ban.

Presented by Justin Bunch, Emergency Management. The burn ban expires on March 28, 2021. Suggesting putting it back on for 90 days.

Motion to extend the burn ban for 90 days with the special conditions.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 184-186
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

25. Discuss and take action on fleet accidents and damage reports for February 2021.

Presented by Justin Bunch, Emergency Management.

Motion to acknowledge monthly fleet accident report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 187-191
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

26. Discuss and take action on Midland County facilities February 15, 2021 winter weather damage report.

Presented by Ken Colston, Risk Management. The damage at the Courthouse and the Library was discussed. They are suggesting we pay for the damages out of pocket. Tabled for more information.

27. Discuss and take action on donation of 1000 individual hand sanitizers from Texas Tech Health Sciences to be used for jury selections.

Presented by Justin Bunch, Emergency Management. Estimated the value at \$3,000.00.

Motion to accept the donation of 1000 individual hand sanitizers from Texas Tech Health Sciences.

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

28. Discuss and take action ratifying Authorization for Special Waste Disposal signed on March 8, 2021 to comply with Federal Statutes of disposing property in a timely manner.

Presented by Justin Bunch, Emergency Management and Ken Colston, Risk Management.

Motion that we ratify the authorization for special waste disposal to comply with Federal Statutes of disposing property in a timely manner.

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

*10:52am take a 10min break at 10:52am and then go into executive session
Back into regular session at 11:41am.*

29. Discuss and take action on administration leave with pay for five employees with Sheriff's Office.

Presented by Sheriff Criner.

Motion to approve the administrative leave for the five employees with the Midland County Sheriff's Office.

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

30. Discuss and take action on HIDTA 2021 Grant Award.

Presented by Sheriff Criner. \$280,000.00.

Motion to approve and accept the HIDTA 2021 grant award.

Motion by: Prude	Second by: Sanchez	Exhibit: 196-208
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

31. Discuss and take action on Midland County Sheriff's Office February 2021 report.

Presented by Sheriff Criner.

Motion to acknowledge the report Midland County Sheriff's Office February 2021.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 209-210
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

32. Discuss and take action on out-of-state travel for Jane Aranda to attend the Crime Scene Investigation Course in Tulsa, Oklahoma, April 26 – May 7, 2021.

Presented by Sheriff Criner.

Motion to approve Jane Aranda travel to Tulsa, Oklahoma.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 211-218
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

33. Discuss and take action on donation in the amount of \$5,000.00 from Advanced Computing Solutions LP for the Sheriff's Office Donation Account.

Presented by Sheriff Criner.

Motion to acknowledge donation of \$5,000.00 from Advanced Computing Solutions LP for the Sheriff's Office donation account.

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

Second by: Sanchez
Against:

Exhibit: 219-222
Abstaining:

34. Discuss and take action on donation of five saddles valued at \$6,000.00 from Curt Locklar for Mounted Patrol.

Presented by Sheriff Criner.

Motion to accept the donation of 5 saddles from Curt Locklar for Mounted Patrol.

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

Second by: Donnelly
Against:

Exhibit: 223-228
Abstaining:

35. Discuss and take action on Detention Fees for February 2021.

Presented by Sheriff Criner.

Motion to acknowledge.

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

Second by: Sanchez
Against:

Exhibit: 229-230
Abstaining:

36. Discuss and take action on BuyBoard Rebate Presentation.

Presented by Kristy Engeldahl, Purchasing Agent and Mr. Lupe (Lu) Mireles, BuyBoard. A few courts back, the court acknowledged our rebate check. Our BuyBoard Rep would like to present us with a banner and a big check. \$59,535.00. Kristy Engeldahl, Purchasing Agent said Kay Henderson was instrumental in making this possible.

Motion to acknowledge.

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

Second by: Donnelly
Against:

Exhibit: 231-233
Abstaining:

37. Discuss and take action on purchase of trailer for Road & Bridge.

Presented by Kristy Engeldahl, Purchasing Agent. This is a budgeted item. We have a quote from Big Tex Trailer in the amount of \$11,956.00.

Motion to purchase trailer for Road and Bridge from Big Tex Trailer in the amount of \$11,956.00.

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

Second by: Sanchez
Against:

Exhibit: 234-235
Abstaining:

38. Discuss and take action on purchase of fence for Ft. Worth Storage.

Presented by Kristy Engeldahl, Purchasing Agent. This is not a budgeted item, however Facilities is doing a LIT for this purchase. We have a quote from Premier Fence in the amount of \$15,781.13.

Motion to purchase a fence for the Ft. Worth storage from Premier Fence in the amount of \$15,781.13.

Motion by: Donnelly Second by: Ramsey Exhibit: 236-237
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

39. Discuss and take action reassigning vehicles.

Presented by Kristy Engeldahl, Purchasing Agent. We do have 3 reassignments to present to the court. Unit 10005 (Vector) to 50144 (Facilities) pickup that John Warren drove. Unit 50132 (Facilities) to 99018 (Spare) Malibu that Tim Harris drove. Unit 80000 (Horseshoe) to 60130 (Emergency Management) port-a-potty trailer.

Motion to reassign the vehicles as set out.

Motion by: Donnelly Second by: Ramsey Exhibit: 238-241
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

40. Discuss and take action on DA use of county credit card for witness flights.

Presented by Kristy Engeldahl, Purchasing Agent. I need to ask for permission and forgiveness for this item. I made the executive decision last week to allow the DA's office to use the card for flights needed for a jury trial beginning the week of 3/16/21. We were notified at the end of February that our travel agent had retired in October. We had been trying ever since to get a new travel agent. We tried credit applications with American Airlines and Southwest, but both wanted personal information and a guarantor. The flights totaled \$3,768.88. Veronica Morales, Auditor joined the conversation.

Motion to approve the DA's use of the credit card for witness flights in the past and we will solve it with the next motion.

Motion by: Donnelly Second by: Ramsey Exhibit: 242-250
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

41. Discuss and take action authorizing County Judge to sign contract with Anderson Travel West for a travel agent.

Presented by Kristy Engeldahl, Purchasing Agent. Kay found us a travel agent last week that has agreed to the same contract as our previous travel agent. This vendor will mostly be used to book flights. Russell Malm, County Attorney stated the contract was fine. Laura Nodolf, District Attorney joined the conversation. There is a \$450.00 monthly fee for this service. Tabled.

42. Discuss and take action applying for a credit card to be used only for travel for all departments.

Presented by Kristy Engeldahl, Purchasing Agent. We did reach out to Prosperity and they have given us a credit card application. Does the court want me to get a credit card to be used in the event of an emergency that we lose this travel agent or she is not available? This will be used only for travel for county business. Just like the current card is in my name and in my possession under lock and key, I would only provide the card information if the department has proven that the purchase is for county business and would be pre-approved by the court. Any out of state travel will need courts approval of course. The Auditor, District Attorney and Court had a conversation about checks and balances.

Motion to apply for a county credit card to be used only for travel for all departments.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 251-252
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

43. Discuss and take action on purchase of body cams and in-car cams.

Presented by Mike Atkins, IT Director. This is a buyback program.

Motion to purchase the body cams and in-car cameras for the SO.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 253-258
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

44. Discuss and take action authorizing the City of Midland to use part of the land at the Horseshoe complex as a staging area for a City project.

Presented by Commissioner Sanchez and Ruben Mata, Road and Bridge Director of Operations. They will be storing a slurry mix. Andrew Avis, Public Works Agent stated that they should ask for an agreement.

Motion to allow them to use that area at the horseshoe to stock pile materials subject to a laid out plan and a cleanup plan that can be approved by Road and Bridge, The County Attorney and Andrew Avis, Public Works Director.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 259-260
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

45. Discuss and take action regarding request for access easement on County Property at Henderson Street and East Taylor Avenue.

Presented by Andrew Avis, Public Works Director. This is a private property asking for an easement. Commissioner Ramsey had some questions to how this would affect future projects. There was some discussion about what the plans are for this area.

Motion to table.

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

46. Discuss and take action on special meeting.

Presented by County Judge Johnson. Trying to schedule meeting to begin the budget process. There was a suggestion to have a meeting after the next Commissioners Court.

Exhibit: 261

47. 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. DE3 Operating on SCR 1110
2. Kelly Vaughan on 2811 Shanks
3. Magnum Services, LP on CR 1110
4. Magnum Services, LP on CR 1065

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

1. XRI Holdings, LLC on SCR 1160
2. XRI Holdings, LLC on SCR 1110
3. DE3 Operating on CR 1050

Motion to pass all of these.

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

Second by: Sanchez
Against:

Exhibit: 262-280
Abstaining:

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

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

50. Adjourn.

Motion to adjourn.

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

Second by: Prude
Against:

Exhibit:
Abstaining:

Adjourn at 12:25p.m.

A Meeting of the Commissioners Court will be held on Monday, April 12, 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 March 22, 2021.



Alison Haley

Alison Haley, County Clerk