



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

Be it remembered that on Monday the 10th day of May, 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 Pastor Pat Bryant, Travis Baptist Church

3. Pledges of Allegiances.

4. Acknowledge retirement of Teddy Patrick Bostick from District Attorney's Office.

Presented by Robert Segura, HR Director. Laura Nodolf, District Attorney addressed the court and asked them to acknowledge his many years of service.

Motion to acknowledge.

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

Second by: Donnelly
Against:

Exhibit: 11
Abstaining:

5. Discuss and take action on pay step change for 142nd District Court Coordinator.

Presented by Judge David Rogers, 142nd District Court. Would like E'Lois Strong to go from a 16.1 to a 16.4. The funds are in the current budget. It was recommended to submit this request with the upcoming budget process. No action taken.

Exhibit: 12-14

6. Acknowledge collections report for JP 3.

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

Motion to acknowledge the collection report for JP 3.

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

Second by: Prude
Against:

Exhibit: 15-89
Abstaining:

7. Receive video presentation on County Government.

The Court viewed a video explaining County Government produced by Texas Association of Counties. No action taken.

8. Discuss and take action on re-appointment of Keith Dial as Board of Director for Midland County Housing Authority.

Presented by Jeanette Castaneda, Secretary, Midland County Housing Authority Board of Directors asked to re-appoint Keith Dial to the Board of Directors for Midland County Housing Authority.

Motion that we re-appoint Keith Dial to the Board of Midland County Housing Authority.

Motion by: Prude	Second by: Donnelly	Exhibit: 90
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

9. Discuss and take action on court minutes from April 26, 2021.

Alison Haley, County Clerk presented the minutes from April 26, 2021.

Motion to approve.

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

10. Conduct Public Hearing for possible placement of stop signs on Elkins Road near CR 40, CR 44, CR 50, CR 55, and CR 57.

County Judge Johnson announced a public hearing for possible placement of stop signs on Elkins Road near CR40, CR44, CR50, CR55 and CR57 open for anyone wishing to speak. No one came forward so the public hearing was closed.

11. Discuss and take action on placement of stop signs on Elkins Road near CR 40, CR 44, CR 50, CR 55, and CR 57.

Presented by Andrew Avis, Public Works Director. These signs have already been installed on these private roads.

Motion that we place stop signs on Elkins road near CR40, CR44, CR50, CR55 and CR57.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 91-92
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

12. Acknowledge Quarterly Sick Leave Pool Report.

Presented by Mitzi Baker, Treasurer. There was an adjustment.

Motion to acknowledge the quarterly sick leave report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 93-95
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

13. Discuss and take action on Treasurer's Monthly Reports for January and February 2021.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge Treasurer's monthly reports for January and February 2021.

Motion by: Prude	Second by: Donnelly	Exhibit: 96-104
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

14. Discuss and take action changing the Midland County Employee Pay Schedule and setting effective date.

County Judge Johnson stated that the pay scale increase is currently at 4% and he would like to see it come down to 2%. Mitzi Baker, Treasurer expressed that this would best be decided before the budget process. Commissioner Donnelley asked why we are addressing a change to the pay scale. County Judge Johnson stated we need to address the largest cost to the County. Commissioner Ramsey stated that the County is competing with the highest paying industry in the world. Commissioner Sanchez stated that he cannot just think of the employees he needs to think about the county taxpayer. There was some discussion about merit raises opposed to automatic raises. Mitzi Baker, Treasurer addressed the Courts questions. Veronica Morales, Auditor joined the conversation. There was some discussion about separating law enforcement salaries from the other departments. Commissioner Donnelly asked that this be put on the next Courts agenda. Commissioner Prude expressed his take on the difference between government and the private sector. No action taken. Exhibit: 105-108

15. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge personnel memoranda.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 109
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 brought to the courts attention.

Motion that we approve all line item transfer with the amendment of the funds under the facilities that building maintenance, that one that we go to capital outlay 100-030007010.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 110-127
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Veronica Morales, Auditor. There are no wire transfers. There were a few exceptions discussed. There were two additional check request forms from the Drug Court. One from Candace Ligon for a conference and the other from Judge Rainey for graduation invitations.

Motion to pay all bills and exceptions.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 128-136
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

18. Discuss and take action on appointment for shared Midland/Ector County Extension Agent – Agriculture and Natural Resources.

Presented by Steve Paz, County Agent and Abigale Pritchett, CEA-FCH. They would like to appoint Alexis Ruch as the shared Ector/Midland County Extension Agent – Agriculture and Natural Resources on June 1, 2021. She won't come on the County payroll until July 1, 2021.

Motion that we approve the appointment of Alexis Ruch for Midland/Ector County Extension Agent Agriculture and Natural resources.

Motion by: Prude	Second by: Donnelly	Exhibit: 137-138
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

19. Discuss and take action on hotel rate above per diem.

Presented by Karen Hood, Tax Assessor Collector. It will be an additional \$40 per night for three nights.

Motion to approve the request.

Motion by: Prude	Second by: Sanchez	Exhibit: 139-145
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

20. Discuss and take action on out-of-state travel for Midland County Drug Court Team Members to attend NADCP Rise 21 Conference on August 14-18, 2021.

Judge Elizabeth Rainey, Drug Court would like to get the Courts permission of three different County Employees to attend NADCP Rise 21 Conference in August. Mr. Michael Rittenberry from the DA's office, Trina Latson and Rebecca Elder with CSCD.

Motion to approve out of state travel for employees mention by the Judge for the Midland County Drug court Team to attend NADCPP Rise 21 conference on August 14-18, 2021.

Motion by: Prude	Second by: Sanchez	Exhibit: 146
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

21. Acknowledge Midland County Drug Court Update and National Drug Court Month Recognition.

Presented by Judge Elizabeth Rainey, Drug Court. May is National Drug Court Month. Tonight they will have the 2nd graduation celebrating 24 graduates.

Motion to acknowledge the update and recognition.

Motion by: Prude	Second by: Sanchez	Exhibit: 147-150
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

22. Receive and discuss the Order to Abate Nuisance for the Property located at 1810 Cloverdale Road, Midland County, Texas.

Presented by Laura Nodolf, District Attorney. They have had the first nuisance abatement hearing with regards to 1810 Cloverdale Road.

Motion to acknowledge the Order of Judge Cobos case number ET2210001 signed and entered of the 5th day of May 2021.

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

*10:32am take a 10 minute break.
10:47am back into regular session.*

23. Discuss and take action on Burn Ban.

Presented by Justin Bunch, Emergency Management. The current burn ban expires on June 26th. We have had some rain.

Motion to cancel burn ban effective today and reconsider next month.

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

24. Discuss and take action on Settlement Agreement with Randy Cloyd.

Presented by Ken Colston, Risk Management. Mr. Cloyd signed the release accepting the \$1,500.00.

Motion to approve the settlement with Mr. Cloyd.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 154-168
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Recalled

Motion to approve the payment to Randy Cloyd.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 154-168
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

25. Discuss and take action on service agreement with Sterlington Medical for the management and maintenance of the County's AEDs.

Presented by Ken Colston, Risk Management. Unable to find someone locally to service this. Ken Colston stated after the motion that the local vendor has a purchase order for them to do the training for the County employee's.

Motion that we approve the Sterlington contract stating the one concern that the local group had was that the monitoring of these AED's is by internet connection and there is a question on whether or not there is sufficient security on that software.

Motion by: Donnelly	Second by: Prude	Exhibit: 169-176
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

26. Discuss and take action appointing a Midland County representative for the Texas Public Entity Group Plus membership.

Presented by Ken Colston, Risk Management. This is the insurance board.

Motion that we appoint Ken Colston to serve as a Midland County representative for the Texas Public Entity Group plus membership.

Motion by: Prude	Second by: Ramsey	Exhibit: 177-215
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

27. Acknowledge rebate check from TexBuy Cooperative Purchasing.

Presented by Kristy Engeldahl, Purchasing Agent. We received a check for \$828.35.

Motion to acknowledge the TexBuy Cooperative purchasing check in the amount of \$828.35.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 216-217
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

28. Discuss and take action purchasing pickup for Sheriff's Office Admin.

Presented by Kristy Engeldahl, Purchasing Agent. They have a price from Wheeler Motor Company in the amount of \$48,555.00. They will use federal forfeiture funds.

Motion that we purchase the pickup for the Sheriff's Office using forfeiture funds from Wheeler Motor Company in the amount of \$48,555.00.

Motion by: Donnelly Second by: Ramsey Exhibit: 218-221
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

29. Discuss and take action on award of RFP 21MCO577 Job Order Contracting Services.

Presented by Kristy Engeldahl, Purchasing Agent. Would like to award to D&E Electric, Tommy Klein Construction, LMC Corporation, Amstar Inc. and Mid-Tex of Midland.

Motion to award the RFP 21MCO577 to D&E Electric, Tommy Klein Construction, LMC Corporation, Amstar Inc. and Mid-Tex of Midland.

Motion by: Ramsey Second by: Donnelly Exhibit: 222-224
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

30. Discuss and take action going out for bid for RFQ for Architect for Juvenile Detention/Probation Building.

Presented by Kristy Engeldahl, Purchasing Agent. Commissioner Prude stated the need for some rehab out there. Forest Hanna, Juvenile Director joined the conversation. This is a feasibility study. They want a purpose built facility. There was a lengthy discussion.

Motion to acknowledge and approve the Juvenile Board to go out for an RFQ for an architect to do a feasibility study for our current Juvenile situation in Midland County.

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

31. Discuss and take action on payment of invoice for support of the Star-Spangled Salute event.

County Judge Johnson stated this was in the budget. \$50,000.00 to Midland Chamber of Commerce for the upcoming Star-Spangled Salute.

Motion to approve invoice.

Motion by: Donnelly Second by: Ramsey Exhibit: 226-227
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

Recall item 24

32. Discuss and take action allowing City of Midland Traffic to reroute public through the County Annex Parking Lot during road construction.

Presented by Andrew Avis, Public Works Director and Mike Pacelli, traffic engineer for the City of Midland. They would like to use the second driveway.

Motion that we approve the use of City of Midland traffic to re-route the public through, up to the second driveway of our facility at the Annex.

Motion by: Prude Second by: Donnelly Exhibit: 228-231
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

33. Discuss and take action authorizing County Judge to sign Deed to ROW associated with CR 1250 Backage Road Construction.

Presented by Andrew Avis, Public Works Director. This is a donation deed.

Motion to authorize the County Judge to sign the Deed to right-of-way associated with CR 1250 Backage Road construction.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 232-250
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

34. Discuss and take action authorizing County Judge to sign the Driveway Permit to TxDOT associated with the construction of CR 1250 Backage Road at Interstate 20.

Presented by Andrew Avis, Public Works Director.

Motion authorizing the County Judge to sign the Driveway permit to TxDOT associated with the construction of CR 1250 Backage road at Interstate 20.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 251-253
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

35. Discuss and take action authorizing County Judge to sign the Utility Easement.

Presented by Andrew Avis, Public Works Director and Casey Maxwell with Landgraf Crutcher and Associates, Inc.

Motion that we authorize the County Judge to sign the general Utility easement.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 254-258
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

36. Discuss possible State Mandated Property Tax Increases.

Commissioner Donnelly wanted to bring HB12 and SB1 to the Courts attention. It will require the county to build an alert system for state wide disasters. There are 21 days left in the session as of today. See attached backup. Exhibit: 259-260

37. Discuss State Legislature Initiatives.

Commissioner Donnelly stated that he wanted to update the Court on things that are going on in Austin right now that might have an effect on Midland County. Exhibit: 261

38. 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.

Presented by Andrew Avis, Public Works Director. Commissioner Sanchez asked about one of his permit around CR1379

Permit to Construct Driveway Facilities on County Right of way:

1. Greenwood Country Estates on SCR 1054
2. Franklin Construction on SCR 1055
3. Greenwood Contry Estates on ECR 107

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

1. Northern Natural Gas Co. on ECR 230
2. Pinnacle Dos Picos, LLC on CR 170

Motion to pass those for Robin.

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

Second by: Sanchez
Against:

Exhibit: 262-272
Abstaining:

39. Adjourn.

Motion to adjourn.

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

Second by: Sanchez
Against:

Exhibit:
Abstaining:

Adjourn at 11:35a.m.

A Meeting of the Commissioners Court will be held on Monday, May 24, 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 May 10, 2021.



Alison Haley

Alison Haley, County Clerk