



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

Be it remembered that on Monday the 12th day of July, 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 Fr. Timothy Hayter, St. Ann's Catholic Church.

3. Pledges of Allegiances.

4. Discuss and take action on court minutes from June 21 & 28, 2021.

Presented by Alison Haley, County Clerk.

Motion to approve minutes for June 21 and 28.

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

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

Alison Haley, County Clerk presented the court fees for June 2021.

Motion to acknowledge.

Motion by: Prude	Second by: Sanchez	Exhibit: 11-24
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

6. Conduct public hearing on installation of stop signs on CR120 and CR 1223 ½.

Judge Johnson announced the public meeting open for installation of stop signs on CR 120 and CR 1223 ½. No one came forward.

7. Discuss and take action on installation of stop signs on CR 120 and CR 1223 ½.

Motion to approve installation of stop signs on CR 120 and SCR 1223 ½.

Motion by: Sanchez	Second by: Prude	Exhibit: 25-30
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

8. Conduct public hearing reducing speed limit to 45 mph on CR 1120 North of FM 307.

Judge Johnson announced the public meeting open reducing speed limit to 45 mph on CR 1120 North of FM 307. No one came forward.

9. Discuss and take action reducing speed limit to 45 mph on CR 1120 North of FM 307.

Motion that we reduce the speed limit to 45 mph on CR 1120 North of FM 307.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 25-30
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

10. Discuss and take action on activity at South Draw to remove flood waters from residential properties.

Presented by Commissioner Sanchez and Andrew Avis, Public Works Director. They are pushing the water to move along the floodplain. They discussed an easement. Russell Malm, County Attorney joined the conversation. Commissioner Sanchez stated that the storm showed us where the problem areas are and now, we need to fix them. The good news is that we can fix them. The Commissioners have had conversations with TXDOT. Commissioner Sanchez stated that the County should buy some of the land in this area to help prevent this in the future. Commissioner Sanchez stated due to the emergency of the situation they hired a company Rain for Rent to help pump out the water from this area. Veronica Morales, Auditor joined the conversation. They purchased sandbags. There was a discussion about where the funds would come from after the motion was made.

Motion to ratify to allow Rain for Rent to become a vendor and also for payment of work that they have done so far at South Draw, Cotton flat and Midkiff.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 31-33
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

11. Discuss and take action on Declaration of Disaster regarding flooding.

Presented by County Judge Johnson. The declaration of disaster was signed for the ability to obtain relief funds from the Governor's office and manpower. The order was signed on July 8th and is good for 7 days. They discussed extending the declaration.

Motion that we approve the Declaration of Disaster and extend it for 30 days until August 12, 2021.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 34-35
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

12. Discuss and take action on proposed salaries for Elected Officials.

Presented by Commissioner Donnelly and Mitzi Baker, Treasurer. Commissioner Prude asked for item #13 to be called so they could be discussed together. The Treasurer stated that an overall raise for the whole county at 3% would be about \$1.6 million and 4% would be about \$2.2 million. Commissioner Ramsey stated that he would like to correct the fact that the elected officials did not receive a raise 2 years ago that the employees received. Commissioner Sanchez brought up the discrepancies in the elected officials' salaries. Judge Johnson and Commissioner Sanchez invited Elected Officials to utilize the Salary Grievance committee. Judge Johnson asked that he be removed from the Motion. The Court discussed looking at the pay scale and compare it to other like size counties.

Motion that we increase the Elected official's salary by 4% and omit the County Judge position from this raise.

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

Second by: Ramsey
Against: Sanchez

Exhibit: 36-38
Abstaining:

13. Discuss and take action on proposed salaries for Employees.

Presented by Commissioner Randy Prude. Commissioner Donnelly stated that they need to consider bringing back the anniversary raises. County Judge Johnson stated that this is not the year for a raise, but he could support reinstating the anniversary raises next year. The decrease in sales tax revenue was discussed. Commissioner Ramsey stated we are in the most competitive job market. Commissioner Sanchez stated that if we give the elected officials a raise, we need to give the employee's a raise. We need to understand where the money is coming from. Mitzi Baker, Treasurer joined the conversation. Commissioner Donnelly stated that if the raise is county wide, he would like it to not include those already receiving an adjustment.

Motion is to give a 4% across the board raise by raising every employee one step and to exclude those who will be receiving more than that in our budget process.

Motion by: Prude
For: Donnelly,
Sanchez, Prude

Second by: Sanchez
Against: Ramsey Johnson

Exhibit: 39
Abstaining:

The County Judge pointed out that the motion increased the budget by \$2.2 million. The Court continued to discuss the employee and the elected official raises. Commissioner Prude stated that a study should be done about how Midland County compares to other counties. Mitzi Baker, Treasurer and Veronica Morales, Auditor joined the conversation.

14. Acknowledge the Treasurer's monthly reports for March and April, 2021.

Presented by Mitzi Baker, Treasurer.

Motion to approve.

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

Second by: Donnelly
Against:

Exhibit: 40-48
Abstaining:

15. Discuss and take action setting the Midland County T.C.D.R.S. contribution rate for 2022.

Mitzi Baker, Treasurer recommended the County continue to pay in 13.5%, to keep our retirement plan healthy and avoid having to play catch up in the future.

Motion that we use the rate of 13.5% again for this coming year.

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

Second by: Sanchez
Against:

Exhibit: 49-53
Abstaining:

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

Presented by Mitzi Baker, Treasurer. This is the quarter ending in June.

Motion to pay down comp time accruals to the limit.

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

Second by: Donnelly
Against:

Exhibit: 54-55
Abstaining:

17. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge payroll summary.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 56-57
For: Johnson, Ramsey,	Against:	Abstaining:
Donnelly, Sanchez, Prude		

18. Discuss and take action on line item transfers.

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

Motion to approve all line item transfers.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 58-74
For: Johnson, Ramsey,	Against:	Abstaining:
Donnelly, Sanchez, Prude		

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

Presented by Veronica Morales, Auditor. There are 4 wire transfers this time. There was one exception brought to the Courts attention.

Motion to approve all bills and wire transfers.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 75-87
For: Johnson, Ramsey,	Against:	Abstaining:
Donnelly, Sanchez, Prude		

20. Discuss and take action designating officer to calculate the No-New-Revenue Rate, Voter-Approved Rate, certify the calculation forms, and be responsible for updating the property tax database.

Presented by Veronica Morales, Auditor.

Motion that we designate Karen Hood, Tax Assessor Collector to be the designated officer to calculate the No-New-Revenue Rate, Voter-Approved Rate, certify the calculation forms, and be responsible for updating the property tax database.

Motion by: Prude	Second by: Donnelly	Exhibit: 88-89
For: Johnson, Ramsey,	Against:	Abstaining:
Donnelly, Sanchez, Prude		

Call item 24

21. Discuss and take action on JAG 2020 Funds in the amount of \$10,541.00.

Presented by Sheriff Criner. They will use for ammunition.

Motion to approve.

Motion by: Sanchez	Second by: Prude	Exhibit: 90-91
For: Johnson, Ramsey,	Against:	Abstaining:
Donnelly, Sanchez, Prude		

22. Discuss and take action on budget amendment for JAG 2020 Grant.

Presented by Sheriff Criner.

Motion to make the budget amendment for the JAG 2020 Grant to be used for ammunition.

Motion by: Prude	Second by: Ramsey	Exhibit: 92--93
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

23. Discuss and take action on additional funds for Detention - Inmate Medical Services.

Presented by Sheriff Criner and Lt. Rebecca Thompson. Requesting \$20,000.00. Veronica Morales, Auditor stated they had put money in contingency for this.

Motion that we add \$20,000.00 to line item 100-500-50.5400 from contingency.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 94
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

24. Acknowledge introduction of new Midland County Deputy Sheriffs who graduated from the Academy on June 16, 2021.

Sheriff Criner presented the recent Academy graduates to the Court. Deputy Jacob Hicks, Deputy Collin Crouch, Deputy James Lujan, Deputy Patrick Pfierfer, Deputy Joseph Baldini and Deputy Alberto De Simon.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 95-96
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Call item 21

25. Discuss and take action on donation in the amount of \$100.00 from Elsa Palomino for Mounted Patrol.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 97-99
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

26. Acknowledge the Civil & Warrants Fee Collection Report for June 2021.

Presented by Sheriff Criner.

Motion to acknowledge Civil and Warrants fee collection report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 100-101
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

27. Discuss and take action authorizing County Judge to sign Ricoh Lease Agreement.

Presented by Jamie Swing, Assistant Purchasing Agent. County Attorney's current machine lease is coming to an end.

Motion to authorize the County Judge to sign Ricoh lease agreement.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 102-106
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

28. Discuss and take action authorizing County Judge to sign AT&T In-Building License Agreement.

Presented by Mike Atkins, IT Director.

Motion we authorize the County Judge to sign AT&T in-building license agreement subject to the County Attorneys approval.

Motion by: Prude	Second by: Donnelly	Exhibit: 107-114
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

29. Discuss and take action on TIPS Vendor Fee Reduction Affidavit.

Presented by Justin Stephenson, IT Department.

Motion to approve the TIPS vendor fee reduction affidavit for Petro Communications.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 115-116
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

30. Discuss and take action authorizing County Judge to sign the Enterprise Pipeline Encroachment Agreement.

Presented by Andrew Avis, Public Works Director and Commissioner Donnelly. This is to get the final paving done on the south loop. If we do not do this the road will not get fixed. County Attorney, Russell Malm stated the agreement needed some changes.

Motion to authorize the County Judge to sign the Enterprise Pipeline encroachment agreement subject to changes to be made by the County Attorney.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 117-131
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

31. Discuss and take action on modifications to existing County Permit Documents and new document for use of County ROW space by utilities.

Presented by Andrew Avis, Public Works Director and Ruben Mata, Road and Bridge Administrator. They discussed requiring tires be picked up.

Motion that we approve the permits and the changes in the regulations.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 132-172
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

32. Discuss and take action selecting members of Salary Grievance Committee.

Presented by Alison Haley, County Clerk. The Court needs to determine who will make up the members of the Salary Grievance committee. Local Government Code 152.014 states it can be all public members or Elected Officials. County Attorney Russell Malm explained how many public members need to appear.

Motion that we select member of the public for the Salary Grievance Committee.

Motion by: Donnelly Second by: Ramsey Exhibit: 173
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

County Judge Johnson drew 18 names from the 64 eligible.

The first nine are the members of the salary grievance committee: Missy Verne Dwyer, Powell Ralph Gassiott III, Todd E. Westmoreland, Jerry Dean Penick, Darla Janine Jewell, Kimberly Gayle O'Connor, Kurt Wesley Light, Joanna James Thomason, Alisa Ann Stevens.

The last nine are alternate members: Catherine Ellen McCoy, Ronnie Joe Burnett, Daniel Barry Pender, Justin Gordon Clark, Gregory Lynn McClellan, Arturo Delacruz Diaz, Frank Lujan Canava, Tommy Berton Terrett and Lael Jean Cordes-Pitts.

Motion that we accept these individuals as the Grievance Committee.

Motion by: Donnelly Second by: Prude Exhibit: 173
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

33. Discuss and take action reclassifying and moving Death Investigators under Commissioners' Court pursuant to Code of Criminal Procedure, Article 49.23.

Hold for Executive Session. No action.

34. 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. Atmos Energy on CR 1309
- 2. Oncor Electric Delivery Company on SCR 1110
- 3. Navitas Midstream Midland Basin, LLC on ECR 120
- 4. Navitas Midstream Midland Basin, LLC on NCR 1050

Motion to pass all of those mentioned

Motion by: Prude Second by: Sanchez Exhibit: 174-186
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

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

*10:49am go into Executive session.
11:45am back into Regular session*

36. Adjourn.

Motion to adjourn.

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

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Adjourn at 11:46a.m.

A Meeting of the Commissioners Court will be held on Monday, July 26, 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 July 12, 2021.





Alison Haley, County Clerk