



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

Be it remembered that on Monday the 26th 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 by Pastor Billy Ashley, Bethal Missionary Baptist Church**
- 3. Pledges of Allegiances.**
- 4. Acknowledge Monthly Collections Reports and Status Update for JP 1.**

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

Motion to acknowledge.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 15-35
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

- 5. Acknowledge Monthly Collections Report for JP 2 & JP 4.**

Presented by Judge John Barton, Justice of the Peace Precinct 4.

Motion to acknowledge.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 36-88
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Go to item 7

- 6. Acknowledge retirement of George Gonzales from Facilities.**

Not called.

Exhibit: 89

- 7. Acknowledge participants with Midland County Internship Program.**

Presented by Robert Segura, HR Director. Introduced the interns. The interns thanked the Court. Emily Long, Alondra Romero, Seth Primera and Jorge Luis Garcia.

Motion to acknowledge the participants with the Midland County Internship program.

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

8. Acknowledge participants with Texas Workforce Earn and Learn Summer Program (SEALS).

Robert Segura, HR Director and Alex Archuleta, District Clerk introduced the participants. Lucas Castillo and Tanner Gill.

Motion to acknowledge the participants with the Texas Workforce Earn and Learn Summer program (SEALS).

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

9. Acknowledge July's I.M.P.A.C.T.S. of the Month Honoree, Ginger Tamez.

Lacey Lalonde, Tax Office read her nomination for Ginger Tamez. Karen Hood, Tax Assessor Collector joined the conversation.

Motion to acknowledge IMPACTS of the month honoree, Ginger Tamez.

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

10. Discuss and take action on compensation, comp time, and overtime plans.

Presented by Robert Segura, HR Director. Mitzi Baker, Treasurer and Veronica Morales, Auditor joined the conversation. County Attorney, Russell Malm addressed the Courts question about the reason for the different process for law enforcement. Captain Adam Hilliard addressed the positive impact this new plan will have on recruiting and retention of officers.

Motion that we approve the compensation comp time and overtime plan as presented by HR.

Motion by: Sanchez	Second by: Prude	Exhibit: 93-94
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

11. Discuss and take action on court minutes from July 12 & 19, 2021.

Presented by Alison Haley, County Clerk. Commissioner Sanchez stepped away.

Motion to acknowledge.

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

12. Discuss and take action on request by Treasurer's Office to reimburse employee for mileage to a school.

Presented by Mitzi Baker, Treasurer. Her Chief Deputy used her own car to attend a school. She would like her to be reimbursed \$374.08. There are funds for this.

Motion to reimburse Chief Deputy for the milage in the amount of \$374.08.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 95-97
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

13. Acknowledge Quarterly Sick Leave Pool Report.

Presented by Mitzi Baker, Treasurer

Motion to acknowledge the quarterly sick leave report.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 98-99
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

14. Acknowledge Quarterly Investment Report.

Presented by Mitzi Baker, Treasurer. This is for June.

Motion to acknowledge the Treasurers quarterly investment report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 100-106
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: Donnelly	Second by: Ramsey	Exhibit: 107
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

16. Discuss and take action on vendor Rain for Rent to remove flood waters from residential properties.

Presented by Kristy Engeldahl, Purchasing Agent and Andrew Avis, Public Works Director. The court needs to declare this purchase from this vendor exempt from competitive bidding pursuant to local government code section 262.024 (2) an item to preserve or protect the public health or safety of the residents of the county. The amount is over \$50,000.00

Motion that we hold Rain for Rent exempt from competitive bidding under local government code 262.024 for the health or safety of the residents of Midland County.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 108-113
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

17. Discuss and take action on budget amendment for flooding emergency.

Presented by Veronica Morales, Auditor. There is \$500,000.00 in contingency for any covid expenses.

Motion that we move \$200,000.00 from contingency to emergency management contract services for equipment and supplies.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 108-113
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

18. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were a few exceptions.

Motion to approve all line item transfers.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 114-165
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Veronica Morales, Auditor. There is one wire transfer. A few exceptions to the bills.

Motion to pay all bills and wire transfers.

Motion by: Prude	Second by: Donnelly	Exhibit: 166-175
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

20. Conduct public hearing on County Clerk’s Records Archive Plan as per Local Government Code Section 118.025.

County Judge Johnson announced a public hearing on County Clerk’s Records Archive Plan as per Local Government Code Section 118.025.

21. Discuss and take action on County Clerk’s Records Archive Plan as per Local Government Code Section 118.025.

Presented by Alison Haley, County Clerk.

Motion to approve the County Clerks Records Archive Plan.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 176-182
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

22. Conduct public hearing on District Courts Technology Fund to fund the preservation and restoration of the District Clerk’s records.

County Judge Johnson announced a public hearing for District Courts Technology fund to fund the preservation and restoration of the District Clerk’s records.

23. Discuss and take action on District Courts Technology Fund to fund the preservation and restoration of the District Clerk’s records.

Presented by Alex Archuleta, District Clerk.

Motion to approve the District Courts Technology fund to fund the preservation and restoration of the District Clerks records.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 183-189
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

24. Acknowledge Library donations.

Presented by Megan Buck, Assistant Library Director.

Motion to acknowledge library donations.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 190-192
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

25. Discuss and take action on operating hours for Midland County Public Libraries.

Presented by Megan Buck, Assistant Library Director. They are comfortable going back to the 10am to 7pm hours at both locations.

Motion to approve the operating hours for Midland County Public Libraries as presented.

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

26. Acknowledge Midland CSCD FY2022 Budget.

Presented by Alan Bell, CSCD Director.

Motion to acknowledge the Midland CSCD FY2022 budget.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 194-212
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

27. Discuss and take action on Election Judges.

Presented by Carolyn Graves, Elections Administrator.

Motion to approve the Election Judges list from the County Party Chairman.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 213-217
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Laura Nodolf, District Attorney. The host hotel was full.

Motion that we approve the above rate per diem in the hotel in Rockwall.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 218-222
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

29. Acknowledge Tax Office Summary of All Collections for June 2021.

Presented by Karen Hood, Tax Assessor Collector.

Motion to acknowledge the Tax Office Summary of all collections for June 2021.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 223-224
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

30. Acknowledge Midland County Sheriff's Office Report for June 2021.

Presented by Sheriff Criner.

Motion that we acknowledge Midland County Sheriff's Office report for June 2021.

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

31. Acknowledge Detention Fees for June 2021.

Presented by Sheriff Criner.

Motion to acknowledge the collection by the Sheriff's Office.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 227-228
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

32. Discuss and take action on donation in the amount of \$300.00 from the Pecos Citizens Police Academy for Mounted Patrol.

Presented by Sheriff Criner.

Motion to acknowledge \$300.00 donation from the Pecos citizens police academy to the Mounted Patrol.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 229-232
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

33. Discuss and take action on additional funds for Outplacement Services.

Presented by Lt. Rebecca Thompson. Veronica Morales, Auditor stated they do have \$320,000.00 in a contingency line for outplacement.

Motion that we move \$25,000.00 from contingency to outplacement.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 233
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

34. Discuss and take action on application of Conoco-Philips Grant.

Presented by Sheriff Criner. These funds will be used for body cameras.

Motion that we approve the application for the Conoco Philips Grant.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 234-241
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

35. Acknowledge check in the amount of \$36,390.00 from Public Workers Compensation Program.

Presented by Ken Colston, Risk Manager.

Motion to acknowledge the Public Workers Compensation Program reimbursement for \$36,390.00.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 242-243
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

36. Acknowledge fleet accidents and damage reports for June 2021.

Presented by Ken Colston

Motion acknowledging the fleet accident and damage report for June 2021.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 244-256
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

37. Discuss and take action on roof repair at 2104 North A Street.

Presented by Ken Colston, Risk Manager. The storage area for the Tax records. Tarps were purchased. Got a quote to fix the roof. Eddie Mendez, Facilities Director joined the conversation. Parsons Roofing quote for \$49,518.00. They discussed the 20-year warranty fee.

Motion that we approve the roof repair at 2104 North A Street and include the \$750.00 for the optional warranty.

Motion by: Sanchez	Second by: Donnelly	Exhibit:257-259
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

38. Discuss and take action on Unit 15520.

Presented by Ken Colston, Risk Manager. Quote from All American Chev of Midland.

Motion to purchase the 2021 Chev Silverado from All American Chevrolet of Midland for \$44,458.25.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 260-286
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

39. Discuss and take action on Unit 15537.

Presented by Ken Colston, Risk Manager. This is a replacement vehicle.

Motion to approve replacement of unit 15537 for \$58,228.20.

Motion by: Prude	Second by: Donnelly	Exhibit: 287-311
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

40. Discuss and take action authorizing County Judge to sign MOU with the Texas Forest Service regarding Incident Management Team.

Presented by Ken Colston, Risk Manager.

Motion to approve the memorandum of agreement between the Texas A&M Forest Service and Incident Management Team member and the participating employer.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 312-340
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

41. Acknowledge receipt of the County Capital Assets pursuant to Texas Local Government Code 262.011(i).

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to acknowledge receipt of the County Capital Assets pursuant to Texas Local Government Code 262.011(i).

Motion by: Ramsey	Second by: Donnelly	Exhibit: 341-343
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

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

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to approve having the County Judge sign the Ricoh lease agreements as defined in the memo.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 344-360
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

43. Discuss and take action reassigning vehicles.

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to approve reassigning vehicles to surplus.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 361
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

44. Discuss and take action allowing Emergency Management use of County Credit Card.

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to approve the use of the County Credit Card for Emergency Management.

Motion by: Prude	Second by: Ramsey	Exhibit: 362-363
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

45. Acknowledge Juvenile Board's selection of RFQ 21MOC579 Architect for Juvenile Justice Facility Study.

Presented by Kristy Engeldahl, Purchasing Agent. Forest Hannah, Juvenile Director joined the conversation.

Motion to acknowledge Juvenile Board's selection of RFQ 21MOC579 architect for Juvenile Justice Facility.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 364
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

46. Discuss and take action going out for RFP for paving SCR 1232 Phase 3 LOSA.

Presented by Andrew Avis, Public Works Director and Kristy Engeldahl, Purchasing Agent.

Motion that we go out for RFP for paving SCR 1232 Phase 3 LOSA.

Motion by: Donnelly Second by: Sanchez Exhibit: 365
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

47. Discuss and take action on GovDeals Rebate Check.

Presented by Kristy Engeldahl, Purchasing Agent.

Motion that we accept the GovDeals rebate check of \$1,067.45.

Motion by: Donnelly Second by: Ramsey Exhibit: 366-368
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

48. Discuss and take action on Pecan Grove Development Plat.

Presented by Andrew Avis, Public Works Director; Jason Bethke, Permian Basin Water Resources and Dustin Eggleston, Director of Land Strategy Betenbough Homes. Commissioner Donnelly brought up HOA's and lot sizes.

Motion that we approve the Pecan Grove Development as presented.

Motion by: Donnelly Second by: Ramsey Exhibit: 369-371
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

49. Discuss and take authorizing County Judge to sign agreement with Burns to create master plan for Law Enforcement facilities.

Presented by Andrew Avis, Public Works. There was some discussion on how informed the Court will be during this project.

Motion allowing the County Judge to sign the contract with Burns to create a master plan for Law Enforcement facilities and getting the \$266,000.00 from capital projects LEB Detention Exp: 605-015--00-7556.

Motion by: Ramsey Second by: Sanchez Exhibit: 372-390
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

50. Discuss and take action hiring temporary staff for Road & Bridge.

Hold for Executive Session.

Recalled.

Motion to allow Road and Bridge to hire a part time staff person.

Motion by: Sanchez Second by: Ramsey Exhibit: 391
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

51. Discuss and take action hiring temporary staff for Facilities.

Hold for Executive Session.

Recalled.

Motion to allow Facilities to hire a part time staff person.

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

Second by: Ramsey
Against:

Exhibit: 392
Abstaining:

52. Discuss use of funds from State and Local Coronavirus Fiscal Recovery Fund (American Rescue Plan Act).

Presented by County Judge. Veronica Morales, Auditor joined the conversation. The County has until December 2024 to use the \$34,000,000.00 Commissioner Donnelly stated he would like the Court to discuss using some of these funds for the Roark water treatment plan. Commissioner Sanchez stated they have only had one meeting on how to use these funds and they are looking into that project. Commissioner Donnelly stated that this plan is a health and safety issue. Commissioner Sanchez mentioned the flooding issues in Precinct 3 that are affecting the South Draw. Andrew Avis, Public Works Director joined the conversation. Jenny Hilton, County Judge Administrator discussed the need for budget amendments. The county has received the first half of the full \$34 million. The focus of the conversation was on water. Exhibit: 393-401

53. Discuss and take action extending lease with Salvation Army.

Hold for Executive Session.

Recalled.

Motion that we extend the lease with the Salvation Army until the end of the year and then from month to month until given notice to vacate. This serves a county public purpose in dealing with the underserved.

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

Second by: Ramsey
Against:

Exhibit: 402
Abstaining:

54. 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. Onyx Contractors on ECR 190

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

- 1. Pioneer Natural Resources USA, Inc. on SCR 1120
- 2. Oncor Electric Delivery Company on SCR 1110
- 3. J and S Swanson Properties on NCR 1150
- 4. Texas Pacific Water Resources, LLC on CR 270

Motion to pass these.

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

Second by: Donnelly
Against:

Exhibit: 403-419
Abstaining:

11:17am go into executive session.
11:38am back into regular session

Recalled item 50, 51 and 53

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

No action

56. Conduct Executive session pursuant to Texas Government Code Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.

No action

57. Adjourn.

Motion to adjourn.

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

Second by: Donnelly
Against:

Exhibit:
Abstaining:

Adjourn at 11:38am.

A Meeting of the Commissioners Court will be held on Monday, August 9, 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 26, 2021.





Alison Haley, County Clerk