



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

Be it remembered that on Monday the 9th day of August, 2021 at 9:02a.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;- remotely
- Luis D. Sanchez, County Commissioner Precinct No. 3;
- Randy Prude, County Commissioner Precinct No. 4

Recorded by Alison Haley, County Clerk

Call to Order

1. Invocation given by Pastor Bob Pase, Grace Lutheran Church.

2. Pledges of Allegiances.

3. Acknowledge Monthly Collections Report/Status Update for JP 1.

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

Motion to acknowledge.

Motion by: Prude	Second by: Sanchez	Exhibit: 14-30
For: Johnson, Ramsey, Sanchez, Prude	Against:	Abstaining:

4. Discuss and take action hiring open position for Death Investigator.

Presented by Judge John Barton, Justice of the Peace Precinct 4. There was some discussion about the job description. Russell Malm, County Attorney mentioned that he had a few changes to make to the job description. They have a candidate in mind for the open death investigator position.

Motion to send out inquiries for a new death investigator.

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

Amended motion

Motion to approve hiring Brantley Anderson as the new Death Investigator.

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

5. Discuss and take action on court minutes from July 26, 2021.

Presented by Alison Haley, County Clerk

Motion to approve minutes.

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

6. Discuss and take action increasing petty cash amount for County and District Clerks' Offices.

Presented by Alison Haley, County Clerk, Alex Archuleta, District Clerk and Veronica Morales, Auditor.

Motion to approve the request

Motion by: Prude	Second by: Sanchez	Exhibit: 32
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Amended motion

Motion to approve additional \$600 for County Clerk and \$150 for the District Clerk.

Motion by: Prude	Second by: Ramsey	Exhibit: 33-36
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

7. Discuss and take action setting the salaries, expenses, and other allowances for Elected and County Precinct Officers.

Presented by Jenny Hilton, County Court Administrator.

Motion to approve the published salaries for elected officials and County Precinct Officers.

Motion by: Prude	Second by: Ramsey	Exhibit: 37-41
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

Recalled Item 6

8. Propose 2021 Property Tax Rate.

Presented by Karen Hood, Tax Assessor Collector. Commissioner Ramsey asked how our revenue is. Veronica Morales, Auditor stated that the County needs more revenue. There was a discussion about the fund balance. Sales tax and Ad valorem tax were discussed. Commissioner Donnelly asked about the fund balance.

Motion that we propose the no new revenue tax rate of .14163500 which is made up of M&O and I&S.

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

9. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to approve the payroll change summary.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 42
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

10. 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: Prude Exhibit: 43-67
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

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

Presented by Veronica Morales, Auditor. No wire transfers today. There were a few exceptions to the bills. There were a few additional bills. Road and Bridge \$10,416.00 for rock asphalt, Boon Chapman for Healthcare. Health and Dental fees \$112,290.34 and transplant fees for \$11,48.10. Advanced auto parts for R&B. County Clerk and District Clerk petty cash. Quadiant that handles our postal service. We have \$6,077.38 in finance charges that has accrued since the beginning.

Motion to pay all bills.

Motion by: Ramsey Second by: Prude Exhibit: 68-76
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

Recalled

Motion to approve the invoice to pay Rain for Rent in the amount of \$159,208.84.

Motion by: Sanchez Second by: Ramsey Exhibit: 68-76
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

12. Discuss and take action on optional redemption for General Obligation Refunding Bonds, Series 2016.

Presented by Veronica Morales, Auditor. This could save us \$1,072,972.00 in interest.

Motion that we approve the redemption for general obligation refunding bonds, series 2016. The one for 2029 at the amount \$1,685,000.00 the 2028 at \$1,645,000.00 for a total of \$3,330,000.00.

Motion by: Sanchez Second by: Prude Exhibit: 77-84
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

13. Discuss and take action contracting with Christopher Grabrian for actuarial services for GASB75 compliance.

Presented by Veronica Morales, Auditor.

Motion to approve contracting with Christopher Grabrian for actuarial services for GASB75 compliance.

Motion by: Ramsey Second by: Sanchez Exhibit: 85-87
For: Johnson, Ramsey, Against: Abstaining:
Donnelly, Sanchez, Prude

14. Discuss and take action on Monthly Financial Statements for April and May 2021.

Presented by Veronica Morales, Auditor.

Motion to acknowledge monthly financial statements for April and May 2021.

Motion by: Prude	Second by: Sanchez	Exhibit: 88-108
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

15. Discuss and take action on Midland County Training Policy.

Presented by Robert Segura, HR Director.

Motion to approve the Midland County Training Policy as presented by HR.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 109-111
For: Johnson, Ramsey, Sanchez, Prude	Against:	Abstaining: Donnelly

16. Acknowledge Library donations.

Presented by Debbie Garza, Library Director.

Motion to approve the library book donations.

Motion by: Ramsey	Second by: Prude	Exhibit: 112-114
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

17. Discuss and take action on donation in the amount of \$5,000.00 from Debra Kay Bretches.

Presented by Debbie Garza, Library Director. Ms Bretches asked for the funds to be spent at the Downtown library on behalf of her mother Elizabeth Bretches.

Motion to acknowledge the \$5,000.00 donation from Debra Kay Bretches in memory of Elizabeth Bretches.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 115-117
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

18. Discuss and take action on out-of-state travel for Debbie Garza, Tiffany London, Megan Buck, and Brandie Cisneros to attend ARSL Conference in Reno/Sparks, NV, October 20-23, 2021.

Presented by Debbie Garza, Library Director.

Motion to approve this out of state travel.

Motion by: Sanchez	Second by: Prude	Exhibit: 118
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

19. Discuss and take action on out-of-state travel for Megan Buck to attend Grants Management USA Workshop in Tampa, FL, August 30-31, 2021.

Presented by Debbie Garza, Library Director.

Motion to approve out-of-state travel for Megan Buck.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 119
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

20. Discuss and take action authorizing County Judge to sign Project Literacy contract for Evan Turk.

Presented by Debbie Garza, Library Director. Project literacy week is October 4-8, 2021.

Motion that we approve the County Judge to sign the Project Literacy contract for Evan Turk.

Motion by: Prude	Second by: Sanchez	Exhibit: 120-121
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

21. Discuss and take action amending Wild Kratts: Ocean Adventure contract to forfeit security deposit in exchange for an onsite installation technician.

Presented by Debbie Garza, Library Director. This is scheduled to open in May 2022.

Motion that we amend the Wild Kratts; Ocean Adventure contract to forfeit the security deposit in exchange for an onsite installation technician.

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

22. Discuss and take action authorizing County Judge to sign Order of Election for November 2, 2021 Joint General Election.

Presented by Carolyn Graves, Elections Administrator.

Motion to authorize the County Judge to sign Order of Election for November 2, 2021 joint general election.

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

23. Discuss and take action on donation in the amount of \$15,000.00 from Pioneer.

Presented by Timothy Flathers, First Assistant District Attorney, Tim Telk, DA Environmental Investigator and Logan Ellinger, Pioneer Natural Resources.

Motion that we approve the donation in the amount of \$15,000.00 from Pioneer.

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

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

Presented by Timothy Flathers, First Assistant District Attorney.

Motion approving the above per diem rate for hotels in Galveston for the three staff members to attend the TDCAA Annual Criminal Conference.

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

25. Discuss and take action on Interlocal Agreement with Regional Public Defender for Capital Cases.

Presented by Jenny Hilton, County Court Administrator. This is an annual agreement.

Motion to approve the Agreement with Regional Public Defender for Capital Cases.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 129-142
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

26. Discuss and take action on reimbursement to inmate trust account.

Presented by Sheriff Criner.

Motion to reimbursement the inmate trust account of \$335.80 with the promise that it will never happen again.

Motion by: Ramsey	Second by: Johnson	Exhibit: 143-144
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

27. Acknowledge the Detention Fees for July 2021.

Presented by Sheriff Criner.

Motion to acknowledge detention fees for July.

Motion by: Prude	Second by: Ramsey	Exhibit: 145-146
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

28. Acknowledge the Civil & Warrants Fee Collection Report for July 2021.

Presented by Sheriff Criner.

Motion to acknowledge civil and warrants fee collection report for July 2021.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 147-148
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

29. Discuss and take action on out-of-state travel for Justin Bunch to attend FEMA Training in Maryland.

Presented by Justin Bunch, Emergency Management.

Motion to approve out-of-state travel for Justin Bunch to attend the FEMA Training in Maryland.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 149
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

30. Discuss and take action going out for RFP for Video Installation/Inmate Telephone Equipment and Services.

Presented by Kristy Engeldahl, Purchasing Agent. Our contract expires in September and Sheriff's Office Detention would like to go out for RFP on these products and services.

Motion to approve RFP for Video installation/inmate telephone equipment and services.

Motion by: Prude	Second by: Sanchez	Exhibit: 150-151
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

31. Discuss and take action auctioning surplus vehicles, equipment, and furnishings.

Presented by Kristy Engeldahl, Purchasing Agent. We had an auction in June and some of those items did not sell. We are going to try to break those down into smaller lots.

Motion to approve the auctioning surplus vehicles, equipment, and furnishings.

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

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

There was a group discussion about the need to extend the Declaration of Disaster. Andrew Avis, Public Works Director and Veronica Morales, Auditor joined the conversation. Commissioner Sanchez thanked everyone who helped. Commissioner Ramsey also thanked those who helped. Commissioner Sanchez stated he thinks they could let the declaration expire.

Motion that we allow the declaration of disaster to expire.

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

Recall item 11

33. Discuss and take action on change order to Cluster B Capital Improvement Contract to extend CR 120.

Presented by Andrew Avis, Public Works Director.

Motion that we do the change order to Cluster B Capital Improvement contract to extend CR 120 to intersect with CR 1232 which is antelope trail.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 154-155
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

34. Discuss and take action on absentee HOA language for subdivision in the County.

Presented by Andrew Avis, Public Works Director. This is in case the HOA fails.

Motion on absentee HOA language for subdivision in the County.

Motion by: Sanchez	Second by: Ramsey	Exhibit: 156-157
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

35. Discuss and take action on change order to add P&P Bond for Reece Albert at CR 1270 Project.

Presented by Andrew Avis, Public Works Director.

Motion to authorize the change order to the base contract to cover the P&P Bond premium at CR 1270 Project.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 158-160
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

36. Discuss and take action on change order to add P&P Bond for Reece Albert at 1232 Monahans Draw Crossing.

Presented by Andrew Avis, Public Works Director.

Motion that we approve the change order to add P&P Bond for Reece Albert at 1232 Monahans Draw Crossing.

Motion by: Sanchez	Second by: Prude	Exhibit: 161-163
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

37. Discuss and take action on UP agreement, pay fees associated with agreement, and be included in bid documents for construction at Industrial Ave.

Presented by Andrew Avis, Public Works Director.

Motion that we approve the UP agreement, pay fees associated with the agreement, and be included in bid documents for construction at Industrial Ave.

Motion by: Sanchez	Second by: Prude	Exhibit: 164-166
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

38. Discuss and take action on budget amendment of \$250,000.00 for small business grants.

Presented by Jenny Hilton, County Court Administrator. The funds will be distributed by Midland College. Russell Malm, County Attorney mentioned some changes that need to be made to the contract.

Motion that we take action to amend the budget for \$250,000.00 for the small business grants.

Motion by: Sanchez	Second by: Prude	Exhibit: 167-180
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

39. Discuss and take action on Agreement Between Midland County, Texas and Midland College, Regarding The Midland County Business Micro-Grant Assistance Program.

Presented by Jenny Hilton, County Court Administrator.

Motion to approve the contract between Midland County and Midland College as drafted pending final approval by the County Attorney.

Motion by: Ramsey	Second by: Prude	Exhibit: 167-180
For: Johnson, Ramsey, Donnelly, Sanchez, Prude	Against:	Abstaining:

40. 2021 Creation of the Midland County Assistance District No. 1, including:

- a. Adopt Order Calling Election for Creation of the Midland County Assistance District No. 1 and Imposition of a Sales and Use Tax;**
- b. Authorize Notice of Election; and**
- c. Authorize posting of early voting roster.**

2021 Creación del Distrito de Asistencia Nro. 1 del Condado de Midland, que incluye:

- a. Adoptar una Orden Para Convocar una Elección de Creación del Distrito de Asistencia Nro. 1 del Condado Midland y la Imposición de un Impuesto de Ventas y Uso;**
- b. Autorizar el Aviso de Elección; y**
- c. Autorizar la publicación de la lista de votación anticipada.**

I move that we call an election to be held November 2, 2021, for the creation of the Midland County Assistance District No. 1 to perform all functions authorized by chapter 387 of the Texas Local Government Code including but not limited to the construction, maintenance or improvement of roads, highways and for the imposition of a sales and use tax of 1.25% in the County. I move that we authorize the County Judge to sign the order calling for the election of the creation of the Midland County Assistance District No. 1 and the imposition of a sales and use tax and I move that we authorize notice of election and authorize posting of early voting roster.

Motion by: Prude
For: Johnson,
Sanchez, Prude

Second by: Sanchez
Against: Ramsey

Exhibit: 181-194
Abstaining: Donnelly

41. Discuss and take action contracting with appraiser to appraise value of real estate.

Hold for Executive Session.

Recalled after Executive Session.

Motion that we approve contracting with appraiser to appraise value of real estate.

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

Second by: Ramsey
Against:

Exhibit: 195
Abstaining:

42. Discuss and take action on water contract.

Motion to discuss the contract in Executive session because discussing it in open court would hurt our negotiating position.

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

Second by: Prude
Against:

Exhibit: 196
Abstaining:

43. 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. Dan Walraven on SCR 1225
2. Krystal Baird on CR 130
3. Juanita Ramos on WCR 130
4. Targa Pipeline Mid-Continent Westtex, LLC on CR 320

Motion to pass these.

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

Second by: Ramsey
Against:

Exhibit: 197-232
Abstaining:

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

45. Conduct Executive Session pursuant to Texas. Government Code Section 552.0725 to deliberate business and financial issues relating to a contract being negotiated.

*Take a break and then go into executive session at 10:59am
Back into regular session at 12:19pm.*

Call item 41

46. Adjourn.

Motion to adjourn.

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

Second by: Sanchez
Against:

Exhibit:
Abstaining:

Adjourn at 12:20p.m.

A Meeting of the Commissioners Court will be held on Monday, August 23, 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 August 9, 2021.



Alison Haley

Alison Haley, County Clerk