



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

Be it remembered that on Monday the 27<sup>th</sup> day of February, 2023 at 9:01a.m a meeting of the Midland County Commissioners Court was called to order in the Commissioners 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;  
Jeff Somers, County Commissioner Precinct No. 2;  
Luis D. Sanchez, County Commissioner Precinct No. 3;  
Dianne Anderson, County Commissioner Precinct No. 4

Recorded by Alison Haley, County Clerk

**1. Call to Order.**

**2. Invocation given by Pastor Darin Wood, First Baptist Church**

**3. Pledges of Allegiances.**

**4. Discuss and take action on vehicle repairs for JP 1.**

Presented by Judge Edelmira Subia, Justice of the Peace Precinct 1. 2015 Ford Explorer. Vector repairs will total \$1,372.88. Requesting \$2,000.00 to cover the invoice and anything else. Elle Bedoy, Facilities Fleet Contract Administrator, explained the reason for the cost. Veronica Morales, Auditor joined the conversation.

Motion to move \$3,000.00 into the fleet management fund out of contingency.

Motion by: Ramsey  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 13-15  
Abstaining:

**5. Discuss and take action replacing carpet for JP 1 & JP 3 offices and common areas.**

Tabled

**6. Discuss and take action on offer from City of Midland on property located at 601 N. Colorado and 200 N. Main Street.**

Hold for Executive Session.  
No action taken.

**7. Discuss and take action on out-of-state travel for Sheriff David Criner, Sergeant Samuel Garces, Thomas Navarrete, Eloisa Irene Ramirez, and Crystal Blanco to attend the 2023 National Police Week in Washington, D.C., May 11-17, 2023.**

Presented by Sheriff Criner.

Motion that we approve the out-of-state travel for Sheriff David Criner, Sergeant Samuel Garces, Thomas Navarrete, Eloisa Irene Ramirez, and another person to attend the 2023 National Police Week in Washington, D.C., May 11-17, 2023.

Motion by: Sanchez  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 16-56  
Abstaining:

**8. Discuss and take action on purchase of 2023 Can-Am Defender Max HD Utility Terrain Vehicle from Family Powersports from donation funds for Sheriff's Office Administration.**

Presented by Sheriff Criner. This is a replacement.

Motion to accept the purchase of the 2023 Can-Am Defender Max HD Utility Terrain Vehicle for the Sheriff's Office Administration.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 57-58  
Abstaining:

**9. Acknowledge the Racial Profiling Report for 2022.**

Presented by Sheriff Criner.

Motion to acknowledge Racial Profiling report for 2022.

Motion by: Somers  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 59-68  
Abstaining:

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

Presented by Alison Haley, County Clerk. These are the fees for January 2023.

Motion to approve all court fees for County and District Clerks' offices.

Motion by: Sanchez  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 69-80  
Abstaining:

**11. Discuss and take action on court minutes from February 13 & 17, 2023.**

Presented by Alison Haley, County Clerk.

Motion to acknowledge the court minutes from February 13 & 17, 2023.

Motion by: Somers  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 81  
Abstaining:

**12. Discuss and take action on personnel memoranda.**

Presented by Sara Gray, Treasurer.

Motion to acknowledge the personnel memorandum.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 82-83  
Abstaining:

**13. Discuss and take action on line item transfers.**

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

Motion to acknowledge the line-item transfers.

Motion by: Somers  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 84-96  
Abstaining:

**14. Discuss and take action on bills and wire transfers.**

Presented by Veronica Morales, Auditor. There were two wire transfers and a few exceptions to the bills. Additional bill from West Texas Orthopedic for \$100.00 that needs payment.

Motion to pay all bills and wire transfers.

Motion by: Ramsey                      Second by: Sanchez                      Exhibit: 97-110  
For: All (5)                                  Against: None                                  Abstaining:

**15. Acknowledge continuing education hours for Tax Assessor/Collector.**

Presented by Karen Hood, Tax Assessor Collector. 20 hours is required.

Motion to acknowledge the continuing education hours for the Tax Assessor Collector.

Motion by: Sanchez                      Second by: Somers                      Exhibit: 111-113  
For: All (5)                                  Against: None                                  Abstaining:

**16. Acknowledge Horseshoe Hi-Lite Report for January 2023.**

Tabled  
Recalled

Presented by Joe Kelley, President of Horseshoe Hospitality Services LLC. Mr. Kelley discussed the past events held at the Horseshoe. The ADA ramp is being installed.

Motion to acknowledge the Horseshoe report.

Motion by: Ramsey                      Second by: Somers                      Exhibit: 114-116  
For: All (5)                                  Against: None                                  Abstaining:

*Call item 36.*

**17. Discuss and take action on use of Horseshoe for Agri-Life Extension Kids Kows & More event.**

For the Kids Kows & More event at the Horseshoe on April 10-13, waive the rent fee.

Motion by: Ramsey                      Second by: Somers                      Exhibit: 117-118  
For: All (5)                                  Against: None                                  Abstaining:

**18. Discuss and take action on use of Horseshoe for Project Graduation.**

Motion to waive the rent and fees for Project Graduation in the Pavilion at the Horseshoe on May 26 and 27, 2023.

Motion by: Ramsey                      Second by: Somers                      Exhibit: 119-120  
For: All (5)                                  Against: None                                  Abstaining:

**19. Discuss and take action on Texas State and Archives Commission Texas Reads grant application.**

Presented by Debbie Garza, Library Director. This is for the 2024 grant.

Motion that we approve the Texas State and Archives Commissioner Texas Reads grant application.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 121-134  
For: All (5)                                  Against: None                                  Abstaining:

**20. Discuss and take action on donations of various scrapbook items valuing \$3,213.21 from anonymous donor.**

Presented by Debbie Garza, Library Director. They have started a card making reach out program.

Motion to accept the scrapbook material donations.

Motion by: Anderson  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 135-136  
Abstaining:

**21. Acknowledge Library donations.**

County Attorney, Russell Malm stated that the court should not discuss policy until it can be agendized that way.

County Judge Johnson stated that two members of the public wished to speak, and he would allow them to speak after the Library Director.

Debbie Garza, Library Director mentioned the spreadsheet of items from last court and there was a new spreadsheet with additional items. Commissioner Anderson stated after checking the books against the list that she has; she was happy to report that there was not one single book that was inappropriate.

Motion to accept the anonymous donations.

Motion by: Anderson  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 137-147  
Abstaining:

After the vote Commissioner Sanchez asked about the procedure for receiving donated books. Debbie Garza, Library Director the different ways books can be donated.

Heather Bredimus, Midland, Texas addressed to court. There was some discussion if her comments were appropriate for today's agenda item. If it is about the type of books or policy we should wait until it has been re-agendized. County Judge Johnson stated that we could not discuss policy, but assured everyone the topic of the Library will be on the next Court. Ms. Bredimus wanted to know the criteria being used to determine the book on the list. Russell Malm, County Attorney stated that there is no written policy that the Commissioners' Court follows on which books they accept. They have always accepted the list of books brought before the Court.

Kristin Hughes of Midland, Texas stated that she would wait for future agendized item.

**22. Discuss and take action on out-of-state travel for Robert Segura to attend SHRM National HR Conference in Las Vegas, NV, June 11 – 14, 2023.**

Presented by Robert Segura, H.R. Director. 60 hours of education are required. This is budgeted.

Motion to approve the out-of-state travel for Robert Segura to attend SHRM National HR Conference in Las Vegas, NV, June 11 – 14, 2023.

Motion by: Somers  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 148  
Abstaining:

**23. Discuss and take action on compliance hotline.**

Presented by Robert Segura, H.R. Director and County Judge Johnson. The Judge expressed his desire for this compliance hotline and stated how helpful he thinks it will be. Kristy Engeldahl, Purchasing Agent addressed the Court. She stated that grants have asked the question, do we have a compliance hotline. Commissioner Ramsey asked how the information will get out to the public. These can be anonymous

complaints. Veronica Morales, Auditor joined the conversation. County Attorney, Russell Malm stated that they have not received a contract to review.

Motion that we adopt a compliance hotline.

Motion by: Anderson  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 149-167  
Abstaining:

**24. Discuss and take action amending policy on marked County Vehicles.**

Presented by Robert Segura, H.R. Director. County Attorney, Russell Malm addressed the Courts questions. The Constable of Precinct 4 used to handle the Warrant Services. That has not been the case for several years.

Motion to amend policy on marked County vehicles and mark all Constable vehicles.

Motion by: Anderson  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 168-170  
Abstaining:

*Recall item 16.*

**25. Acknowledge damage and fleet accident reports for December 2022 and January 2023.**

Presented by Ken Colston, Risk Manager. After the motion there was a discussion about requiring driving training to use a county vehicle. County Attorney, Russell Malm, stated the Court can adopt a policy.

Motion to acknowledge the fleet accident report.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 171-174  
Abstaining:

**26. Discuss and take action on Memorandum of Understanding (MOU) with Texas Emergency Management Assistance Team (TEMAT).**

Presented by Justin Bunch, Emergency Management Coordinator.

Motion that we approve the Memorandum of Understanding with Texas Emergency Management Assistance Team.

Motion by: Sanchez  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 175-191  
Abstaining:

**27. Discuss and take action on updated Hazard Mitigation Planning Grant (HMPG).**

Presented by Justin Bunch, Emergency Management Coordinator.

Motion to acknowledge the updated Hazard Mitigation Planning grant.

Motion by: Somers  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 192-195  
Abstaining:

**28. Discuss and take action going out for RFP for Demolition of Buildings.**

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to go out for RFP for demolition of the old salvation army and the rudder building.

Motion by: Ramsey  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 196-197  
Abstaining:

**29. Discuss and take action on award for RFQ/RFP 23MCO601 Construction Manager at Risk (CMAR) for New Jail.**

Presented by Kristy Engeldahl, Purchasing Agent. The selection committee is recommending awarding to White Construction. Andrew Avis, Public Works Director explained the process for making their decision.

Motion to approve the award for RFQ/RFP 23MCO601 Construction Manager at Risk for New Jail to White Construction.

Motion by: Somers  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 198-201  
Abstaining:

*10:42am take a 10 min break.  
10:55am back into Regular Session.*

**30. Discuss and take action naming members of committee for Hike and Bike Trail.**

Presented by Kristy Engeldahl, Purchasing Agent and Commissioner Sanchez. They have asked former Mayor Bobby Burns to head up this committee.

Motion that we approve forming a committee for the Hike and Bike trail.

Motion by: Sanchez  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 202  
Abstaining:

**31. Discuss and take action on dirt and sand install at Horseshoe Arena.**

Presented by Eddie Melendez, Facilities Director. \$23,259.20 quote from Silverado Oilfield Services, Inc. This is a budgeted item. Joe Kelley, President of Horseshoe Hospitality Services LLC. answered the Courts questions.

Motion to put the dirt back into the Arena at the Horseshoe.

Motion by: Ramsey  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 203-206  
Abstaining:

**32. Discuss and take action on purchase of risers and accessories for the Horseshoe.**

Presented by Eddie Melendez, Facilities Director. This is a budgeted item.

Motion to approve the purchase of the risers and accessories for the Horseshoe.

Motion by: Somers  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 207-212  
Abstaining:

**33. Discuss and take action on purchase of CAT Hydraulic Thumb for Backhoe.**

Presented by Ruben Mata, Road and Bridge Director of Administration. This is a budgeted item.

Motion to approve the purchase of the CAT Hydraulic Thumb for Backhoe.

Motion by: Somers  
For: All (5)

Second by: Anderson  
Against: None

Exhibit: 213  
Abstaining:

**34. Discuss and take action on payment for Roark Ranch Groundwater Rights.**

Presented by Jenny Hilton, County Judge Administrator. This payment needs to be made by March 1, 2023.

Motion that we approve this payment for the Roark Ranch Groundwater rights in the amount of \$146,000.00 and to give the Auditor authorization to either FedEx the money or wire the money.

Motion by: Sanchez                      Second by: Ramsey                      Exhibit: 214-282  
For: All (5)                                  Against: None                                  Abstaining:

**35. Discuss and take action negotiating contract with Universal Cash Systems for ATMs at County facilities.**

Tabled for more information.

**36. Discuss and take action on resolution for Permian Basin Regional Juvenile Justice Center.**

Presented by County Judge Johnson. Commitment of \$25 million towards a Permian Basin Regional Juvenile Justice Center. County Court at Law Judge Mark Dettman addressed the Court. TJJD is overburdened. The Juvenile Board is in favor of joint center. Commissioner Ramsey had several questions and comments. Russell Malm, County Attorney stated this resolution does not bind the County and there is no obligation. Dr. Stephanie Howard, MISD Superintendent addressed the Court and would like to explore being able to use this regional facility as a JJAEP for the school districts. Commissioner Sanchez stated this is needed.

Motion approving the resolution for the Permian Basin Regional Juvenile Justice Center.

Motion by: Sanchez                      Second by: Anderson                      Exhibit: 283-284  
For: All (5)                                  Against: None                                  Abstaining:

*Call item 25.*

**37. Discuss and take action on agreement with Targa Pipeline Mid-Continent WesTex, LLC for Release and Receipt for Damages in the amount of \$2,500.00.**

Tabled.  
Recalled after Executive Session.

Motion authorizing the County Judge to sign agreement with Targa Pipeline Mid-Continent WesTex, LLC for release and receipt for damages in the amount of \$2,500.00.

Motion by: Ramsey                      Second by: Sanchez                      Exhibit: 285-286  
For: All (5)                                  Against: None                                  Abstaining:

**38. Discuss and take action on agreement with AT&T to sever data and telephone services and lines from 301 S. Main St. and 300 Baird for purposes of demolition.**

Presented by Andrew Avis, Public Works Director.

Motion authorizing the County Judge to sign the agreement with AT&T to sever the services.

Motion by: Ramsey                      Second by: Sanchez                      Exhibit: 287-292  
For: All (5)                                  Against: None                                  Abstaining:

**39. Discuss and take action on updated Subdivision Regulations for Midland County.**

Presented by Andrew Avis, Public Works Director. Requiring 6 foot depth of cover.

Motion for the County Judge to sign the updated subdivision regulation for Midland County.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 293-329  
Abstaining:

**40. Discuss and take action on payment of revised earnest money for Parsley Building purchase.**

Presented by Andrew Avis, Public Works Director. Need the earnest money payment to be \$100,000.00. Needs to be paid today.

Motion to approve the revise payment of earnest money for Parsley Building purchase to \$100,000.00 from ARPA and to wire the funds.

Motion by: Sanchez  
For: Somers, Johnson  
Sanchez, Anderson

Second by: Andeson  
Against: Ramsey

Exhibit: 330-336  
Abstaining:

**41. 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. Franklin Construction on SCR 1059
2. Franklin Construction on SCR 1059

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

1. Pioneer Natural Resources USA, Inc. on CR 173
2. Pioneer Natural Resources USA, Inc. on CR 173
3. Pike Construction on ECR 150
4. Enterprise Navitas Midstream Midland Basin, LLC on CR 1232
5. Pioneer Natural Resources USA, Inc. on SCR 1210
6. Pioneer Natural Resources USA, Inc. on CR 173
7. Pioneer Natural Resources USA, Inc. on CR 1178
8. Pioneer Natural Resources USA, Inc. on ECR 190

Motion to approve all these.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit: 337-359  
Abstaining:

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

Item called.

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

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

Item called.

*11:10am short break and then go into Executive Session.*

*12:21pm back into Regular Session.*



Recall item 37.

**45. Adjourn.**

Motion to adjourn.

Motion by: Ramsey  
For: All (5)

Second by: Somers  
Against: None

Exhibit:  
Abstaining:

Adjourn at 12:22p.m.

**A Meeting of the Midland County Commissioners Court will be held on Monday, March 13, 2023 on or after 9:00a.m., in the Commissioners Courtroom, located at the Midland County Courthouse, 500 North Loraine Street, Midland, Texas.**

**I, Alison Haley, County Clerk certify that this is an accurate accounting of the proceedings of the Commissioners Court meeting on February 27, 2023.**



  
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Alison Haley, County Clerk