



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

Be it remembered that on Monday the 28<sup>th</sup> day of March 2022 at 9:00 a.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;  
Robin Donnelly, County Commissioner Precinct No. 2;  
Luis D. Sanchez, County Commissioner Precinct No. 3; - Left around 10:55am  
Randy Prude, County Commissioner Precinct No. 4

Recorded by Ana Almuina, Chief Deputy County Clerk

**1. Call to Order.**

**2. Invocation given by Monsignor Larry Droll, St. Ann's Catholic Church.**

**3. Pledges of Allegiance.**

*Call item 40*

**4. Discuss and take action on proclamation for National Crime Victims' Rights Week, April 24-30, 2022.**

Presented by Sarah Basaldua, Midland Victims Coalition. Their mission is to bring awareness to the community of services available to all victims of crime and we want victims to know that they do not have to endure the aftermath alone.

Motion to approve the proclamation for National Crime Victims' Rights Week, April 24-30, 2022.

Motion by: Prude  
For: All (5)

Second by: Donnelly  
Against: None

Exhibit: 15  
Abstaining:

**5. Discuss and take action on additional funds for fuel for Death Investigators.**

Presented by Judge John Barton, JP Pct. 4. Requesting additional funds to cover the death investigators fuel costs. The current budget is \$ 1,300.00 and we are requesting an additional \$7,000.00. Veronica Morales, Auditor joined the conversation.

Motion that we transfer \$ 7,000.00 from fuel contingency to Death Investigators.

Motion by: Prude  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 16-18  
Abstaining:

**6. Discuss and take action on additional funds for Non-Contract Vehicle Maintenance in Patrol.**

Tabled.

**7. Acknowledge the Midland County Sheriff's Office Report for February 2022.**

Presented by Sheriff Criner.

Motion to acknowledge the Midland County Sheriff's Office February 2022 report.

Motion by: Prude  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 19-22  
Abstaining:

**8. Discuss and take action on salary change for David Sapp at Cemetery.**

Hold for Executive Session  
No action taken

**9. Discuss and take action on vehicle policy.**

Presented by Robert Segura, HR Director. This policy was last addressed in 2018. Right now, County vehicles cannot leave the County unless it is Law Enforcement. Mr. Segura stated a change to the vehicle policy could help us reach out to skilled labor that live outside the County. Commissioner Sanchez asked about the insurance. Mr. Segura stated that the cars are covered outside of Midland County. Mitzi Baker, Treasurer joined the conversation. Eddie Melendez, Facilities Director also joined the conversation. Commissioner Sanchez asked about the IRS rule. The Treasurer explained that if the employee takes a vehicle home they are taxed. Veronica Morales, Auditor joined the conversation. Russell Malm, County Attorney stated that we should not deviate from the policy for any employee. Commissioner Donnelly stated that they are not ready to change the policy today. Commissioner Ramsey stated that we need to look over the information presented. Tabled for more information. Exhibit: 23-25

**10. Discuss and take action on TDI’s Preventative Maintenance Agreement for Horseshoe appliances.**

Presented by Eddie Melendez, Facilities Director. We have about 60 appliances at the Horseshoe. We currently don’t have any preventive maintenance for these items. This agreement is for 1 year and they would PM all the appliances quarterly. Commissioner Ramsey stated that he thinks we need to do this for at least one year.

Motion to have the County Judge to sign the TDI’s Preventative Maintenance Agreement for Horseshoe appliance subject to the County Attorneys review of the contract, and payment in full.

Motion by: Ramsey                      Second by: Donnelly                      Exhibit: 26-36  
For: All (5)                              Against: None                              Abstaining:

**11. Discuss and take action on Community Services Grant Policy.**

Presented by Commissioner Donnelly and Commissioner Sanchez. Commissioner Ramsey asked about some of the items listed. Commissioner Donnelly stated that we are trying to set limitations. There was a lengthy discussion with all the Court members. Tabled for more information. Exhibit: 37-42

**12. Discuss and take action on Special Constitutional Amendment Election and Order of Election.**

Presented by Carolyn Graves, Elections Administrator.

Motion that the County Judge sign the notice of special election May 7, 2022, in the Constitutional Amendment Election and order of Election

Motion by: Ramsey                      Second by: Sanchez                      Exhibit: 43-46  
For: All (5)                              Against: None                              Abstaining:

**13. Discuss and take action on County Burn Ban.**

Presented by Justin Bunch, Fire Marshal. Recommends all out burn ban for 90 days.

Motion that we authorize the County Judge to sign the prohibiting outdoor burning for 90 days to extend through the end of June 26, 2022.

Motion by: Donnelly                      Second by: Sanchez                      Exhibit: 47-51  
For: All (5)                              Against: None                              Abstaining:

**14. Discuss and take action on additional funds for shredding project for County Clerk's Office.**

Tabled.

**15. Discuss and take action on purchase of trees for the Cemetery.**

Presented by Kristy Engeldahl, Purchasing Agent. A design has been made and we have a final number from Turf Specialties in the amount of \$121,750.00 this includes 25 Cedar Elms and 10 Chinese Pistache. They are 20 foot tall right now. Commissioner Prude wants to know about the warranty. Russell Malm, County Attorney joined the conversation. Commissioner Prude told the Facilities Director to talk to James Tuttle with Tree Loving Care.

Motion that we approve the contract with Turf Specialties on the purchase of the trees for the Cemetery.

Motion by: Donnelly  
For: All (5)

Second by: Sanchez  
Against: None

Exhibit: 52-55  
Abstaining:

*Call item 22 - 24*

**16. Discuss and take action on RFP for irrigation at Cemetery.**

Presented by Kristy Engeldahl, Purchasing Agent. Now that we know where the trees will be planted, we can go out for bid on an irrigation system that will get water to these trees.

Motion that we go out for RFP for irrigation at the Cemetery.

Motion by: Donnelly  
For: All (5)

Second by: Prude  
Against: None

Exhibit: 56-57  
Abstaining:

**17. Discuss and take action on Ricoh Lease Agreement.**

Presented by Kristy Engeldahl, Purchasing Agent. Warrant Services has indicated that they would like an additional Ricoh copier and get rid of their desktop printers because of toner ink cost. The new machine lease would be \$142.39 per month for 48 months. They do have the funds to cover this lease, and this move will save them about \$600 per year.

Motion to have the Judge sign the Ricoh Lease Agreement for Warrant Services.

Motion by: Ramsey  
For: All (5)

Second by: Donnelly  
Against: None

Exhibit: 58-63  
Abstaining:

**18. Discuss and take action allowing SO-Civil and Warrants to use County Credit Card.**

Presented by Kristy Engeldahl, Purchasing Agent. Go to item 19. This item was not needed.

**19. Discuss and take action allowing Amazon to become a vendor.**

Presented by Kristy Engeldahl, Purchasing Agent. Amazon has indicated that we can turn our Midland County Prime Account into a business account. They would accept purchase orders with NET 30 terms. There will be more discounts and of course all purchases will be tax exempt. There is a workflow that I am working on sending to them if this is approved; depts will be able to put things in their cart, write a requisition through New World, and once it's approved by Purchasing, we can go

into their cart and check out. This will allow all departments to purchase from Amazon without having to ask to use the County Credit Card. Also, Amazon is on the Omnia Partners Cooperative Purchasing Contract; therefore, we can legally purchase over \$50,000 with Amazon without having to go out for bid. However, Amazon, because they are a giant corporation, cannot sign our Terms & Conditions. And because this deviates from our normal procedure with signing up vendors, I would like to get the court's approval to add Amazon as a vendor for Midland County. Everything they have stated is in line with our policy. Russell Malm, County Attorney states he doesn't have a problem with this.

Motion to approve Amazon as a county vendor.

Motion by: Prude  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 64-67  
Abstaining:

*10:26am take a break and go into Executive Session  
On or about 10:53am back into Regular Session  
Call item 46*

**20. Discuss and take action on rental car for Drug Court.**

Presented by Judge Elizabeth Rainey, Drug Court. We need 2 vehicles larger than a standard car. There are 14 people traveling.

Motion to approve the rental vehicle for travel for MCDL.

Motion by: Ramsey  
For: All (5)

Second by: Prude  
Against: None

Exhibit: 68  
Abstaining:

*Call item 36*

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

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge personnel report.

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

Second by: Donnelly  
Against: None

Exhibit: 69  
Abstaining:

*Call item 25*

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

Presented by Veronica Morales, Auditor. There were a few exceptions brought to the Courts attention. They cancelled line-item transfer #4720.

Motion to approve all line item transfers.

Motion by: Sanchez  
For: All (5)

Second by: Donnelly  
Against: None

Exhibit: 70-95  
Abstaining:

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

Presented by Veronica Morales, Auditor. There are three wire transfers. There were a few bills brought to the Courts attention. There were a few meeting rooms at the Horseshoe rented out for \$50.00. Joe Kelley, President of Horseshoe Hospitality Services LLC explained that they rented out a room to Endeavor at the \$50 rate due to the flooding at the Bush Convention Center.

Motion to pay all wires and transfers and bills.

Motion by: Donnelly  
For: All (5)

Second by: Ramsey  
Against: None

Exhibit: 96-108  
Abstaining:

**24. Discuss and take action on budget amendment to reduce CTIF budget.**

Presented by Veronica Morales, Auditor. They are reducing the CTIF budget by \$796,562.00 due to overbudgeting. Andrew Avis, Public Works Director answered the Courts questions.

Motion that we amend the budget to reduce the CTIF budget by \$796,562.00.

Motion by: Donnelly                      Second by: Sanchez                      Exhibit: 109-110  
For: All (5)                                  Against: None                                  Abstaining:

*Call item 20*

**25. Discuss and take action on court minutes from March 14, 2022.**

Presented by Ana Almuina, Chief Deputy County Clerk

Motion to approve the court minutes from March 14, 2022.

Motion by: Ramsey                      Second by: Prude                                  Exhibit: 111  
For: Ramsey, Donnelly                      Against: None                                  Abstaining:  
Johnson, Prude

**ADDENDUM  
MIDLAND COUNTY COMMISSIONERS COURT MEETING  
March 28, 2022, on or after 10:05 a.m.**

**1. Discuss and take action on shredding project for County Clerk.**

Presented by Kristy Engeldahl, Purchasing Agent. The funds need to be moved to shredding line item.

Motion that we approve the shredding project for the County Clerk and transfer \$10,555.00 from professional services to shredding services.

Motion by: Donnelly                      Second by: Ramsey                                  Exhibit: 112-115  
For: Ramsey, Donnelly                      Against: None                                  Abstaining:  
Johnson, Prude

**26. Receive COVID update.**

Presented by Robert Segura, HR Director. Currently have one person out with Covid. Report only no action required.                                  Exhibit: 116

**27. Discuss and take action on purchase of camera for Human Resources.**

Presented by Robert Segura, HR Director. The camera is old and needs to be replaced. It is a Cannon, EOS 800D Rebel handheld camera with lens for \$769.00.

Motion that we approve the purchase of a new camera for Human Resources.

Motion by: Prude                                  Second by: Donnelly                                  Exhibit: 117-118  
For: Ramsey, Donnelly                      Against: None                                  Abstaining:  
Johnson, Prude

**28. Acknowledge Summary of All Collections for February 2022.**

Presented by Karen Hood, Tax Assessor Collector.

Motion to acknowledge the summary of all collections for February 2022.

Motion by: Ramsey                      Second by: Donnelly                                  Exhibit: 119-120  
For: Ramsey, Donnelly                      Against: None                                  Abstaining:  
Johnson, Prude

**29. Discuss and take action Exhibition Lease Agreement for Julia Child: Her Life & Legacy.**

Presented by Debbie Garza, Library Director. We would be only the 2<sup>nd</sup> institution in the nation to have this exhibit. We are looking at October 21, 2023, through January 12, 2024. This is a budgeted item. Commissioner Ramsey stated that he hopes the contract has an out in case the exhibit is not what we are looking for.

Motion to sign the exhibition Lease Agreement for Julia Child Her Life and Legacy subject to review by the County Attorney with addition of language as we just discussed.

Motion by: Ramsey	Second by: Prude	Exhibit: 121-146
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**30. Discuss and take action on removal of bubble wall at Centennial Library.**

Presented by Debbie Garza, Library Director. This is the acrylic wall that is behind the children's lettering at Centennial Library. It is no longer functioning and requires a lot of facility maintenance. We would like to remove it.

Motion that we remove the bubble wall located at Centennial Library.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 147
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**31. Discuss and take action on National Library Week Proclamation.**

Presented by Debbie Garza, Library Director. April 3-9, 2022.

Motion to recognize National Library Week from April 3-9, 2022.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 148-150
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**32. Acknowledge anonymous cash donation of \$5.02.**

Presented by Debbie Garza, Library Director. Lisa Sessions, 1<sup>st</sup> Assistant Auditor asked about the donors' intent.

Motion to approve anonymous cash donation of \$5.02.

Motion by: Prude	Second by: Donnelly	Exhibit: 151
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**33. Discuss and take action on contract and invoice for Will Parker's Musical Performance.**

Presented by Debbie Garza, Library Director. This is for the summer reading program.

Motion that we obtain the signature of County Judge on the contract and invoice for Will Parker.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 152-153
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**34. Discuss and take action on Centennial Park Programming Agreement.**

Presented by Debbie Garza, Library Director. Russell Malm, County Attorney stated that the contract will need some changes.

Motion that we approve the Centennial park Programming agreement subject to Russell's review.

Motion by: Prude	Second by: Donnelly	Exhibit: 154-159
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**35. Discuss and take action on out-of-state travel for Timothy Flathers to attend National Cyber Crime Conference in Norwood, MA, April 25-29, 2022.**

Presented by Timothy Flathers, Assistant District Attorney.

Motion that we approve out-of-state travel for Timothy Flathers.

Motion by: Prude	Second by: Ramsey	Exhibit: 160-162
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**36. Discuss and take action on MOU between Midland CSCD and Midland County Drug Court.**

Presented by Judge Elizabeth Rainey, Drug Court. This is an amendment that was previously approved by the Court. Allen Bell, CSCD joined the conversation.

Motion that we amend the MOU between Midland CSCD and Midland County Drug Court.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 163-165
For: All (5)	Against: None	Abstaining:

*Call item 16*

**37. Discuss and acknowledge damage and fleet accident reports for February 2022.**

Presented by Justin Bunch, Emergency Management Director.

Motion to acknowledge fleet damage accident report for February 2022.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 166-174
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**38. Discuss and take action on change order for purchase of Polaris.**

No longer needed.

**39. Acknowledge the I.M.P.A.C.T.S. of the Month Honoree, Angela Gardea, from the District Clerk's Office.**

Ashley Thompson, HR Department read the nomination for Angela Gardea. Alex Archuleta, District Clerk stated how proud his is of Angela Gardea. No action taken.  
Exhibit: 175-176

**40. Acknowledge retirement of Ralph Gonzales from Courthouse Security.**

Presented by Robert Segura, HR Director. Deputy Ralph Gonzales has served Midland County for 16 years. Sheriff Criner thanked Deputy Gonzales and his wife. Lt. Alma Acosta, Courthouse Security thanked Deputy Gonzales for his years of service.

No action taken. Exhibit: 177

Call item 4

**41. Discuss and take action on cybersecurity training for employees.**

Presented by Javier Chacon, Interim IT Director. This is an annual agreement.

Motion to approve the cybersecurity training for the employees for the upcoming year.

Motion by: Prude	Second by: Donnelly	Exhibit: 178-180
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**42. Discuss and take action installing no parking signs at intersection of FM 307 and CR 1130.**

Presented by Commissioner Donnelly. The public has reached out to Commissioner Donnelly.

Motion that we place no parking signs at the intersection of FM 307 and CR 1130.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 181
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**43. Discuss and take action on two correction deeds.**

Presented by Andrew Avis, Public Works Director. Filing the correct deed for the survey.

Motion that we authorize the County Judge to sign the two corrective deeds on the South Loop.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 182-193
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**44. Discuss and take action on plat for Greenwood Country Estates, Section 4.**

Presented by Jessica Buchanan, Public Works Regulations Manager. This is the plat for section 4.

Motion that we authorize County Judge to sign the mylars for Greenwood Country Estates, Section 4 plat in Precinct 2.

Motion by: Donnelly	Second by: Prude	Exhibit: 194-194
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:

**45. Discuss and take action on plat for S & W Greenwood West Section 2.**

Presented by Jessica Buchanan, Public Works Regulations Manager.

Motion that we authorize County Judge to sign the mylars for S & W Greenwood West section 2 in Precinct 2.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 196-197
For: Ramsey, Donnelly Johnson, Prude	Against: None	Abstaining:



**46. 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. Lucky Star RV Park on SCR 1270.
2. Betenbough Homes on ECR 99 ½.
3. Betenbough Homes on ECR 99 ½.
4. Betenbough Homes on ECR 99 ½.
5. Betenbough Homes on ECR 99 ½.
6. Monica Childs on SCR 1220.
7. Hydraulic Systems on WCR 130.
8. Fernando Ramos on SCR 1204.
9. Paul Martinez on WCR 116.
10. Bernardo & Maricarmen Huerta on WCR 130.
11. Louis A. Dominguez on WCR 116.
12. Thomas S. Flores on WCR 114.
13. Elizabeth Marquez on WCR 120.
14. Kerstin Sins on WCR 116.
15. John Scott Stone on WCR 130.
16. John Scott Stone on WCR 130.
17. Kenneth Talley on SCR 1207.
18. Eduardo Lujan on WCR 130.
19. Francisco Carrasco on SCR 1223.
20. Julia Santellanes on SCR 1223.
21. Daniel Mendoza on SCR 1223.
22. Martha Bolivar on SCR 1224.
23. Arnulfo O. Esquivel on SCR 1221.
24. Stephen Lance James on SCR 1223.
25. Chad & Gayle Peterson on SCR 1222.
26. Beard Equipment Co. Inc. on SCR 1221.
27. Beard Equipment Co. Inc. on SCR 1223.
28. Reynas Deli on SCR 1210.
29. Reyna A. Martinez on SCR 1210.

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

1. Atmos Energy on ECR 90.
2. Pioneer Natural Resources on CR 190.

Commissioner Donnelly stated that Atmos is going along the line of ECR 90 and they are not paying us a franchise fee like they are the City. He is not very happy with that.

Motion to pass all of these.

Motion by: Prude  
For: All (5)

Second by: Donnelly  
Against: None

Exhibit: 198-239  
Abstaining:

*Commissioner Sanchez left the meeting on or about 10:55am  
Call item 21*

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

Went into Executive Session on or about 10:26am returned on or about 10:53am  
No action taken.

Call item 46

**48. Adjourn.**

Motion to adjourn.

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

Second by: Ramsey  
Against: None


Exhibit:  
Abstaining:

Adjourn at 11:20a.m.

**A Meeting of the Midland County Commissioners Court will be held on Monday, April 11, 2022, on or after 9:00 a.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 March 28, 2022.**



  
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Alison Haley, County Clerk