



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

Be it remembered that on Monday the 13th day of June 2022 at 9:02 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;
Randy Prude, County Commissioner Precinct No. 4

Recorded by Alison Haley, County Clerk

1. Call to Order.

2. Invocation given by Pastor Pat Bryant, Travis Baptist Church

3. Pledges of Allegiances.

4. Discuss and take action on proclamation for Elder Abuse Awareness Month.

Presented by Marcy Leffler, DFPS and Carla Warren, Program Administrator. County Judge Johnson read the proclamation aloud.

Motion to acknowledge.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 14
Abstaining:

5. Receive presentation from Midland College on Primary Care Pathway Program.

Presented by Joey Schenkman, Director of Primary Care Pathway Program. Thanked the Court for their past support. Exhibit: 15-23

6. Discuss and take action on reappointment of Barbara Yarborough to the PermiaCare Board of Trustees.

Presented by Chris Barnhill, CEO PermiaCare.

Motion to reappoint Barbara Yarborough to the PermiaCare Board of Trustees.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 24
Abstaining:

7. Acknowledge June's I.M.P.A.C.T.S. of the Month Honoree, Araceli Reyes, with Treasurer's Office.

Presented by Mitzi Baker, Treasurer and Lisa Washington, Treasurers office.

Motion to acknowledge June I.M.P.A.C.T.S. of the month honoree Araceli Reyes with the Treasurer's office.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 25
Abstaining:

8. Discuss and take action on Law Enforcement Project to include Jail, JP Offices, Sheriff's Office, and Culver.

Presented by Commissioner Ramsey. Commissioner Ramsey stated that he believes they need sight plans to move forward. The estimate for sight plans is \$7 million for the jail, \$2.5 for SO LEB, \$1,250,000.00 for JP's and Constables, and \$1,392,200.00 for Culver. Andrew Avis, Public Works Director joined the conversation stating the jail needs to be first. Commissioner Sanchez suggested moving forward with the jail first. Commissioner Donnelly mentioned timing is important. Commissioner Sanchez wanted to revisit the Culver design and amount. Forrest Hannah, Chief Juvenile Probation Officer joined the conversation expressing a concern for putting the Jail and the Juvenile center together. Sheriff Criner joined the conversation.

Motion to table until we find a place to put them.

Motion by: Ramsey	Second by: Sanchez	Exhibit: 26-28
For: All (5)	Against: None	Abstaining:

9. Discuss and take action on donation in the amount of \$110,000.00 from Bustin for Badges for Sheriff's Office.

Presented by Sheriff Criner.

Motion to accept the donation in the amount of \$110,000.00 from Bustin for Badges for the Sheriff's Office.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 29-32
For: All (5)	Against: None	Abstaining:

10. Discuss and take action on budget amendment of \$110,000.00 for Sheriff's Office.

Presented by Sheriff Criner.

Motion for the budget amendment for the \$110,000.00.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 33-34
For: All (5)	Against: None	Abstaining:

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

Presented by Lt. Rebecca Thompson. Asking for an additional \$75,000.00.

Motion to move \$75,000.00 from contingency into outplacement services.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 35
For: All (5)	Against: None	Abstaining:

12. Acknowledge C&W Fee Collection Report for May 2022.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly	Second by: Ramsey	Exhibit: 36-37
For: All (5)	Against: None	Abstaining:

13. Acknowledge Detention Fees for May 2022.

Presented by Sheriff Criner.

Motion to acknowledge the monthly Sheriff's Office report.

Motion by: Ramsey	Second by: Donnelly	Exhibit: 38-39
For: All (5)	Against: None	Abstaining:

14. Discuss and take action waiving rental fees at Horseshoe for City of Midland Police Officer Graduation.

Presented by Sheriff Criner.

Motion waiving the rental fee for City of Midland Police Officer Graduation on July 8, 2022.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 40
Abstaining:

15. Discuss and take action waiving rental fees at Horseshoe for Midland County Sheriff's Office testing.

Presented by Sheriff Criner

Motion that we approve the waiving rental fees at Horseshoe for Midland County Sheriff's Office testing.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 41
Abstaining:

16. Discuss and take action waiving rental fees at Horseshoe Livestock Barn for Midland County Steer Validations.

Motion waiving the rental fees for the Horseshoe livestock barn for the Steer Validations.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 42
Abstaining:

17. Discuss and take action on court minutes from May 16 & 23, 2022.

Presented by Alison Haley, County Clerk

Motion approving the minutes from May 16, May 23, 2022.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 43
Abstaining:

18. Conduct public hearing on possible reduction of speed on CR 110 between CR 1140 & CR 1110.

County Judge Johnson announced a public hearing for the possible reduction of speed on CR 110 between CR 1140 and CR 1110. No one came forward.

19. Discuss and take action on reduction of speed on CR 110 between CR 1140 & CR 1110.

Presented by Ruben Mata, Road and Bridge Administrator. Mr. Mata recommended lowering the speed limit to 45mph.

Motion that we reduce the speed limit from 55 to 45 on ECR 110 between SCR 1140 and SCR 1110.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 44-48
Abstaining:

20. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge the payroll change summary.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 49-51
Abstaining:

21. Discuss and take action on Treasurer’s Monthly Reports for March and April, 2022.

Presented by Mitzi Baker, Treasurer.

Motion to approve the Treasurer’s monthly reports for March and April.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 52-60
Abstaining:

22. Discuss and take action on line item transfers.

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

Motion to approve all line-item transfers.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 61-93
Abstaining:

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

Presented by Veronica Morales, Auditor. There were a few exceptions brought to the Courts attention. There is one additional bill for Midland Central Appraisal District in the amount of \$10,185.85.

Motion to pay all bills and wire transfers.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 94-102
Abstaining:

24. Discuss and take action on financial statements for January, February, & March, 2022.

Presented by Veronica Morales, Auditor.

Motion to acknowledge the January, February, and March 2022 financial statements.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 103-133
Abstaining:

25. Discuss and take action on R1 Learning Contract for Drug Court.

Presented by Associate Judge Elizabeth Rainey, Drug Court. They have the funds in the current budget. \$8,000.00 for a 1 year and 8 licenses.

Motion that we approve the R1 Learning contract for Drug Court subject to changes from the County Attorney.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 134-147
Abstaining:

26. Discuss and take action on out-of-state travel for members of Drug Court to attend NADCP Conference in Nashville, TN, July 24-28, 2022.

Presented by Associate Judge Elizabeth Rainey, Drug Court. This year they will only be sending 2 people.

Motion that we approve out of state travel for the NADCP conference in Nashville, TN.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 148-163
Abstaining:

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

Presented by Associate Judge Elizabeth Rainey, Drug Court. Three nights are over the rate. \$258.00 a night.

Motion to approve the hotel rate requested above per diem.

Motion by: Prude
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 164
Abstaining:

28. Discuss and take action on Memorandum of Understanding between Drug Court, Transitional Treatment Court, and DWI Court and the Literacy Coalition of the Permian Basin.

Presented by Associate Judge Elizabeth Rainey, Drug Court and John Trischitti, Literacy Coalition of the Permian Basin.

Motion to approve the Memorandum of Understanding between Drug Court, Transitional Treatment Court, and DWI Court and the Literacy Coalition of the Permian Basin.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 165-169
Abstaining:

29. Discuss and take action on grade change for Appellate Assistant District Attorney from a Grade 31 to a Grade 29.

Presented by Laura Nodolf, District Attorney. There are now 2 people assigned to appellate work. Making this position and entry level position

Motion that we approve the change for Appellate Assistant District Attorney from a Grade 31 to a Grade 29.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 170-173
Abstaining:

30. Discuss and take action on grade and step change for Juvenile Assistant District Attorney from a Grade 30 Step 13 to a Grade 31 Step 13.

Presented by Laura Nodolf, District Attorney. County Judge Johnson questioned this action.

Motion that we approve the step change for Juvenile Assistant District Attorney from a Grade 30 Step 13 to a Grade 31 Step 13 effective immediately.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 174-179
Abstaining:

31. Discuss and take action on Election staff attending Election Law Seminar in Austin, TX, July 31 – August 3, 2022.

Presented by Carolyn Graves, Elections Administrator. The funds have been budgeted.

Motion to approve the Elections staff attending Election law seminar in Austin, Texas, July 31-August 3.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 180
Abstaining:

32. Discuss and take action on creation of Manual Count Board.

Presented by Carolyn Graves, Elections Administrator. Ms. Graves believes this is another layer of transparency. She has reached out to the Secretary of State office and the party chairmen. This will increase the cost of each election by \$200.00. Russell Malm, County Attorney entered the conversation stating the Commissioners can authorize the creation and the payment of this Board.

David Rosen, on behalf of the Democratic Party wanted to speak after hearing the reasoning for this. Mr. Rosen thought this would be a great idea.

Motion that we allow the Elections Administrator to create a manual count board and pay the additional cost.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 181-184
Abstaining:

33. Discuss and take action on Release of Property Damage Claim with Evanston Insurance Company, Market Service Incorporated, and Roseland Oil and Gas.

Presented by Justin Bunch, Emergency Management Coordinator.

Motion to approve the release of property Damage Claim with Evanston Insurance Company, Market Service Incorporated, and Roseland Oil and Gas.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 185-213
Abstaining:

34. Discuss and take action on repair of hail damage to County vehicles.

Presented by Justin Bunch, Emergency Management Coordinator. A list was presented to the court members. 262.024 bid exemption. Steel Rain addressed the courts questions about the process.

Motion to grant the exemption from competitive requirements under section 262.024 of the local government code pertaining to vehicle and equipment repairs.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 214-301
Abstaining:

35. Discuss and take action on burn ban.

Presented by Justin Bunch, Emergency Management Coordinator. The current burn ban ends 6/26/2022. They would like to extend for another 90 days

Motion to extend the burn ban by 90 days from June 26th.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 302-303
Abstaining:

36. Discuss and take action on buildout at Vector Fleet.

Presented by Eddie Melendez, Facilities Director. The price has increased by \$900.00.

Motion to approve the office build out at Vector Fleet with the new vendor.

Motion by: Ramsey Second by: Donnelly Exhibit: 304-305
For: All (5) Against: None Abstaining:

37. Discuss and take action on airhandler unit retrofit at Library at the Plaza.

Presented by Eddie Melendez, Facilities Director. Varitec quote for \$183,125.00. Using a TIPS COOP purchasing program. Would like to move the funds from Capital Outlay 7110 to Building Maintenance 6200.

Motion that we retrofit the airhandler unit at the Library at the Plaza.

Motion by: Donnelly Second by: Ramsey Exhibit: 306-310
For: All (5) Against: None Abstaining:

38. Discuss and take action on Ricoh Lease Agreements.

Presented by Kristy Engeldahl, Purchasing Agent. New machine leases. Horseshoe and SO-Detention.

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

Motion by: Donnelly Second by: Ramsey Exhibit: 311-324
For: All (5) Against: None Abstaining:

39. Discuss and take action going out for RFP 22MCO590 Seal Coat Rock.

Presented by Kristy Engeldahl, Purchasing Agent. We only received 1 response even though we had sent out this RFP to multiple companies that indicated that they would like to submit a bid. The single response that we received was extremely high. After speaking with the companies that did not submit a bid, we found that there was some confusion on the frequency of truck hauls and total number of tons that we were asking for. We would like to clarify these things in the specification and re-bid this item. Ruben Mata, Road and Bridge Administrator joined the conversation.

Motion to approve rebidding the seal coat rock.

Motion by: Prude Second by: Ramsey Exhibit: 325-326
For: All (5) Against: None Abstaining:

40. Discuss and take action canceling contract with GrantWorks.

Presented by Kristy Engeldahl, Purchasing Agent. They would like to cancel the contract with GrantWorks. They need 10 days notice. Veronica Morales, Auditor explained the reasons for canceling the contract with GrantWorks. County Attorney, Russell Malm clarified that this would be a Termination for convenience.

Laurie Gehlsen, GrantWorks addressed some of the reasons for canceling the contract. Andrea Souffle, ARPA Project Manager GrantWorks expressed her concern for the cancelation of this contract and expressed that they could renegotiate the fee. They would like the opportunity to have a project meeting.

Motion for notice of cancelation with GrantWorks.

Motion by: Ramsey Second by: Donnelly Exhibit: 327-330
For: All (5) Against: None Abstaining:

41. Discuss and take action awarding 2nd place bidder of RFP 21MCO585 Consulting Services for Grant Assistance.

Presented by Kristy Engeldahl, Purchasing Agent. Veronica Morales, Auditor answered the courts questions. This is specifically for ARPA funding. County Attorney, Russell Malm answered the courts questions. Commissioner Sanchez asked if this company could be used for other grants in the future.

Motion that we allow the negotiations with FORVIS on the contract, and it be subject to Russell Malm, County Attorney approval of the contract. RFP 21MCO585 Consulting Services for Grant Assistance.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 331-348
Abstaining:

42. Discuss and take action on BKD/FORVIS Contract.

Previous motion took care of this item.

10:44 take a 10 min break

11:02am back into Regular Session

43. Discuss and take action on change order for CR 1210 at Monahans Draw Project.

Presented by Andrew Avis, Public Works Director.

Motion authorizing the change order to Salinas Construction for the work performed at 1210 and Monahans Draw Project.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 349-352
Abstaining:

44. Discuss and take action on Encroachment Agreement Application with Oncor.

Presented by Andrew Avis, Public Works Director.

Motion to authorize the County Judge to sign the encroachment agreement application with Oncor.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 353-357
Abstaining:

45. Discuss and take action on additional units and change order for Precinct 4 Cluster Project.

Presented by Andrew Avis, Public Works Director. \$68,560.00 from Road and Bridge Capital Outlay.

Motion to approve the additional unit and change order for Precinct 4 Cluster project.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 358-362
Abstaining:

46. Discuss and take action on change order for 158 LOSA Project.

Presented by Andrew Avis, Public Works Director. \$18,333.00 from Road and Bridge Capital Outlay. Commissioner Donnelly thanked TXDOT

Motion that we authorize the change order for Reece Albert at the 158 LOSA project.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 363-364
Abstaining:

47. Discuss and take action taking in roads at Greenwood Country Estates, Section 2.

Presented by Jessica Buchanan, Public Works Regulations Manager. Ruben Mata, Road and Bridge Administrator joined the conversation.

Motion that we take into county maintenance roads in Greenwood Country Estates, section 2 being SCR 1055, ECR 107 and SCR 1054.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 365
Abstaining:

48. Discuss and take action on warranty period for CR 1059 in Greenwood Country Estates.

Presented by Jessica Buchanan, Public Works Regulations Manager. They want to start the one-year warranty period.

Motion that we begin the one-year warranty period for SCR 1059 in Greenwood Country Estates Phase 3.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 366-367
Abstaining:

49. Discuss and take action on plat for Cielo Vista III.

Presented by Jessica Buchanan, Public Works Regulations Manager. Divide them into one acer lots.

Motion that we authorize the County Judge to sign the mylars for plat of Cielo Vista III.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 368-369
Abstaining:

50. Discuss and take action reassigning Roark Waterfield to Midland County ownership.

Hold for Executive Session.

Motion that we request the Midland County Fresh Water District No. 1 the reassignment of the Roark Waterfield to Midland County ownership.

Motion by: Donnelly
For: All (5)

Second by: Prude
Against: None

Exhibit:
Abstaining:

51. Discuss and take action on new agenda policy.

Commissioner Ramsey expressed his concern about the new policy for submitting agenda items. Mitzi Baker, Treasurer, Alison Haley, County Clerk, Laura Nodolf, District Attorney addressed the court about the new procedure. Judge Johnson stated that he is trying to create some sort of policy. Commissioner Prude stated he could not filter another Elected official from putting something on the Agenda. Commissioner Donnelly stated he didn't mind the idea that a Commissioner sponsor a topic. Commissioner Sanchez asked if some of the items could always be on the agenda.

Motion to table this agenda item.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 370
Abstaining:

52. 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. Betenbough Homes on ECR 99 ½
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. Franklin Construction on SCR 1055
7. Franklin Construction on SCR 1055
8. Franklin Construction on SCR 1055
9. Franklin Construction on SCR 1055
10. Carrasco Homes on ECR 94
11. HED Construction on ECR 130

Motion to pass.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 371-397
Abstaining:

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

*11:31am go into Executive Session.
11:51am back into Regular Session*

Call item 50

54. Adjourn.

Motion to adjourn.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit:
Abstaining:

Adjourn at 11:52a.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, June 27, 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 June 13, 2022.





Alison Haley, County Clerk