



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

Be it remembered that on Monday the 26th day of September 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;
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 National 4-H Week, October 2-8, 2022.

Presented by Steve Paz, County Extension Agent. The Midland County 4-H officers introduced themselves to the Court. Sierra Griffith, 4H President, Alysa Griffith, 4H Reporter, Lance Griffith, 4H Historian, Macy Welch, 4H Safety Officer and Jackson 4H Secretary.

Motion to proclaim next week (October 2-8, 2022) as National 4-H week.

Motion by: Prude
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 16-17
Abstaining:

5. Acknowledge Sara Moran, CEA Horticulturist, for Ector/Midland Counties.

Presented by Rebel Royal, District Extension Administrator. Sara Moran, CEA Horticulturist introduced herself to the Court.

Motion to acknowledge Sara Moran as the Horticulturist for Ector and Midland Counties.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 18
Abstaining:

Call item 53

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

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

Motion to acknowledge the JP 1 monthly collections report.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 19-43
Abstaining:

7. Discuss and take action on FY2023 VINE Service Agreement.

Presented by Sheriff Criner.

Motion that we authorize the County Judge to sign the FY2023 Midland County VINE Service Agreement.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 44-59
Abstaining:

8. Discuss and take action on Summit Contract Amendment for inmate meals.

Presented by Sheriff Criner and Lt. Rebecca Thompson. Fee is based on how many meals are served. \$2.74 per meal. This includes the Summit staff.

Motion to approve the amendment to the Summit Contract for the provision of inmate meals.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 60-63
Abstaining:

9. Discuss and take action on Sheriffs' and Constables' Fees.

Presented by Sheriff Criner. No change in fees.

Motion to approve Sheriffs' and Constables' fees.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 64-66
Abstaining:

10. Acknowledge Midland County Sheriff's Office Report for August 2022.

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 67-71
Abstaining:

11. Acknowledge Detention Fees for August 2022.

Presented by Sheriff Criner.

Motion to acknowledge the fees report for Detention Center.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 72-73
Abstaining:

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

Presented by Sheriff Criner.

Motion to acknowledge civil and warrant fee collections report for August 2022.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 74-75
Abstaining:

13. Discuss and take action clarifying raises for Maintenance Jailers.

Presented by Sheriff Criner and Eddie Melendez, Facilities Director. Mr. Melendez stated its more logistic to keep these positions under the Sheriff's Office.

Motion to put the maintenance jailers under the previous raise schedule.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 76-77
Abstaining:

14. Conduct public hearing on possible placement of no parking signs on Right-of-Way in front of 1312 CR 128 property.

County Judge Johnson announced a public hearing open on possible placement of no parking signs on Right-of-Way in front of 1312 CR128 property. Judge Johnson asked if there was anyone wishing to speak a form needs to be filled out first.

*Call item 16
Recalled item 16*

Heath Cole, Midland County resident. Explained an ongoing dispute between neighbors about a fence being put up.

15. Discuss and take action on placement of no parking signs on Right-of-Way in front of 1312 CR 128 property.

Presented by Ruben Mata, Road and Bridge Administrator. Tabled. Exhibit: 78-83

16. Conduct public hearing on possible placement of no parking signs on CR 120 between SH 349 & CR 1180.

County Judge Johnson announced a public hearing open on possible placement of no parking signs on CR120 between SH349 and CR1180. Judge Johnson asked if there was anyone wishing to speak on possible placement of no parking sign on CR120 between SH349 and CR1180.

Pam Thames, Midland County resident addressed the Court. They have an 18-wheeler they park across the street on a commercial property. Ruben Mata, Road and Bridge Administrator stated that the company has no authority to allow you to park there. They have been parking in the Counties right-of-way. Russell Malm, County Attorney joined the conversation. Exhibit: 78-83

17. Discuss and take action on placement of no parking signs on CR 120 between SH 349 & CR 1180.

Presented by Ruben Mata, Road and Bridge Administrator. Tabled.

Recall item 14

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

Presented by Alison Haley, Midland County Clerk. August 2022.

Motion to acknowledge the fees for the County and District Clerks' offices.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 84-97
Abstaining:

19. Discuss and take action on agreement with Kofile for Records Archive plan.

Presented by Alison Haley, Midland County Clerk. Continuation of archiving records.

Motion to approve the agreement between Midland County and Kofile to preserve the historical records.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 98-114
Abstaining:

20. Acknowledge Treasurer’s Monthly Report for July, 2022.

Presented by Mitzi Baker, Treasurer.

Motion to acknowledge the Treasurer’s Monthly report for July, 2022.

Motion by: Sanchez Second by: Prude Exhibit: 115-119
For: All (5) Against: None Abstaining:

21. Discuss and take action on changes to Stop Loss Insurance.

Presented by Mitzi Baker, Treasurer. Since the last time you voted on the Stop Loss insurance Stacy Minton with Boon Chapman has worked to have lower numbers. Mitzi Baker, Treasurer stated that Stacy is recommending the Court re-Vote to accept option 1.

Motion that we accept the new lower stop loss renewal numbers for our Stop Loss insurance.

Motion by: Donnelly Second by: Ramey Exhibit: 120-124
For: All (5) Against: None Abstaining:

22. Discuss and take action on Contract Services Agreement with CERIS.

Presented by Mitzi Baker, Treasurer. Aetna does not allow us to audit every claim. There are some large claims that they do allow us to audit, with the provision that we are only allowed to use CERIS. If discounts are found, they have to pay 35% of savings to CERIS. We would like to contract with CERIS so that we would only have to pay a 25% of savings, which would save us 10%.

Motion to approve the agreement with CERIS.

Motion by: Ramsey Second by: Donnelly Exhibit: 125-131
For: All (5) Against: None Abstaining:

23. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion that we acknowledge the personnel memoranda.

Motion by: Donnelly Second by: Sanchez Exhibit: 132-133
For: All (5) Against: None Abstaining:

24. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were three exceptions discussed.

Motion to approve all line item transfers.

Motion by: Ramsey Second by: Sanchez Exhibit: 134-158
For: All (5) Against: None Abstaining:

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

Presented by Veronica Morales, Auditor. One wire transfer for the Sheriff’s Office. There were a few exceptions discussed. Nancy Berdoza reimbursement request for purchasing breakfast burritos for hosting a class. Russell Malm, County Attorney answered the Courts questions about public purpose.

Motion that we pay all bills and wire transfers and exceptions except for this reimbursement.

Motion by: Donnelly Second by: Ramsey Exhibit: 159-168
For: All (5) Against: None Abstaining:

26. Discuss and take action on Financial Statements for June and July 2022.

Presented by Veronica Morales, Auditor.

Motion to acknowledge income statements for June and July 2022.

Motion by: Ramsey Second by: Sanchez Exhibit: 169-189
For: All (5) Against: None Abstaining:

27. Discuss and take action on 2022 Youth Literacy Grant in the amount of \$2,000.00.

Presented by Matt Glaser, Associate Library Director.

Tabled for correction.

28. Discuss and take action on monetary donations in the amount of \$10.03 from anonymous donor.

Presented by Matt Glaser, Associate Library Director.

Motion to approve the monetary donations in the amount of \$10.03 from the anonymous donor.

Motion by: Sanchez Second by: Prude Exhibit: 190
For: All (5) Against: None Abstaining:

29. Discuss and take action on proclamation for Project Literacy Week, October 3-6, 2022.

Presented by Matt Glaser, Associate Library Director. Mr. Glaser read the proclamation.

Motion that we approve and proclamation Project Literacy week, October 3-6, 2022.

Motion by: Prude Second by: Sanchez Exhibit: 191-192
For: All (5) Against: None Abstaining:

30. Acknowledge Interlibrary Loan reimbursement in the amount of \$6,878.79 from Texas State Library and Archives Commission.

Presented by Matt Glaser, Associate Library Director.

Motion that we acknowledge the \$6,878.79 Interlibrary loan reimbursement from the Texas State Library and Archives Commission.

Motion by: Donnelly Second by: Ramsey Exhibit: 193-194
For: All (5) Against: None Abstaining:

31. Discuss and take action on host contract with Rae Ripple.

Presented by Matt Glaser, Associate Library Director. There was some discussion about the appearance fee. Russell Malm, County Attorney joined the conversation. There will need to be some changes made to the contract.

Motion to approve the contract subject to Russell's (Russell Malm, County Attorney) changes.

Motion by: Prude Second by: Donnelly Exhibit: 195-200
For: All (5) Against: None Abstaining:

32. Discuss and take action on use of Horseshoe for HEB Feast of Sharing on November 4, 2022.

Presented by Commissioner Ramsey. Annual event.

Motion that we waive the fee for the annual HEB Feast of Sharing.

Motion by: Ramsey
For: All (5)

Second by: Prude
Against: None

Exhibit: 201
Abstaining:

33. Discuss and take action on use of Horseshoe for Drug Court graduation on October 17, 2022.

Presented by Commissioner Ramsey.

Motion waiving the fee for the Midland County Drug Court graduation ceremony at the Horseshoe Pavilion.

Motion by: Ramsey
For: All (5)

Second by: Prude
Against: None

Exhibit: 202
Abstaining:

**ADDENDUM
MIDLAND COUNTY COMMISSIONERS COURT MEETING
September 26, 2022 on or after 10:15 a.m.**

1. Discuss and take action on purchase of I.T. items for Emergency Management Incident Command trailer.

Presented by Justin Bunch, Emergency Management Coordinator. Would like to purchase a telescopic camera system for \$19,000.00. Also requesting a line item transfer.

Motion that we approve the purchase of the panoramic cameras and that we make the transfer of \$20,000.00 from account 6240 to 7110 in Emergency Management.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit:
Abstaining:

34. Discuss and take action on Annex floor repair.

Presented by Ken Colston, Risk Manager and Eddie Melendez, Facilities Director. This is the last part of the recovery after the flooding at the Annex.

Motion that we approve the Annex floor repair.

Motion by: Sanchez
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 203-204
Abstaining:

35. Discuss and take action on purchase of Emergency Management Incident Command Trailer.

Tabled.

36. Discuss and take action on Ricoh Lease Agreements.

Presented by Kristy Engeldahl, Purchasing Agent. These are budgeted items.

Motion to have the County Judge sign the Ricoh lease agreement.

Motion by: Ramsey
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 205-229
Abstaining:

37. Acknowledge rebate check from Ricoh.

Presented by Kristy Engeldahl, Purchasing Agent. \$350.00.

Motion to acknowledge.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 230-231
Abstaining:

38. Discuss and take action on Southwest Solutions Maintenance Agreements for Lektrievers.

Presented by Kristy Engeldahl, Purchasing Agent. This is a budgeted item.

Motion having the County Judge sign Southwest Solutions maintenance agreements for Lektrievers.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 232-241
Abstaining:

39. Discuss and take action on Exela Technologies/HOV Services Support and Maintenance Agreements for Scanners.

Presented by Kristy Engeldahl, Purchasing Agent.

Motion to approve the Exela Technologies/HOV service support and maintenance agreements for the scanners.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 242-268
Abstaining:

40. Discuss and take action on Kinetico Agreement.

Presented by Kristy Engeldahl, Purchasing Agent. FY2023

Motion that we have County Judge sign the Kinetico agreement after review and approval by the County Attorney.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 269-280
Abstaining:

41. Discuss and take action on award for RFP 22MCO593 Landscape Services.

Presented by Kristy Engeldahl, Purchasing Agent. Recommending awarding the Courthouse, Annex, Library @ the Plaza, Centennial Library, JP 2/4/ Warrant Services, Culver Juvenile Center, Sheriff's Impound lot, Horseshoe and Historical Museum all to Advanced Tree Clinic. Then we recommend awarding Ft. Worth storage, Horseshoe outer property, Road and Bridge/Fleet Maintenance, Ag Extension, and the Exhibit building/barn to Toby Robertson.

Motion to approve the award for RFP 22MCO593 landscape services to Toby Robertson and Advanced Tree Clinic.

Motion by: Sanchez
For: All (5)

Second by: Prude
Against: None

Exhibit: 281-296
Abstaining:

42. Discuss and take action on award for RFP 22MCO594 Abatement of former Salvation Army Building.

Presented by Kristy Engeldahl, Purchasing Agent. Recommending awarding this project to Vanco Insulation.

Motion that we award the project to Vanco Insulation.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 297-299
Abstaining:

43. Discuss and take action on award for RFP 22MCO595 Mowing Right of Way Services.

Presented by Kristy Engeldahl, Purchasing Agent. Recommending awarding to Toby Robertson.

Motion to approve the award for RFP 22MCO595 mowing right of way services to Toby Robertson.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 300-301
Abstaining:

44. Discuss and take action on award for RFP 22MCO596 Reconstruction of SCR 12270 Phase 2.

Presented by Kristy Engeldahl, Purchasing Agent. Recommending awarding to Reese Albert.

Motion to award RFP 22MCO596 reconstruction of SCR 1270 phase 2 to Reese Albert.

Motion by: Ramsey
For: All (5)

Second by: Donnelly
Against: None

Exhibit: 302-304
Abstaining:

45. Discuss and take action on purchase of pickup for Facilities.

Presented by Kristy Engeldahl, Purchasing Agent. We received a quote from All American Chevrolet in the amount of \$37,506.00 the budgeted amount was \$31,500.00.

Motion that we purchase the Chevy Colorado crew cab from All American.

Motion by: Donnelly
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 305-307
Abstaining:

46. Discuss and take action assigning truck to Ronald Baker.

Tabled.

47. Acknowledge donation of cleaning services from Service Master at Annex.

Presented by Eddie Melendez, Facilities Director. Service Master is offering to clean 30 chairs from the Annex at no cost to the County.

Motion to acknowledge the donation of the cleaning services from Service Master at Annex.

Motion by: Sanchez
For: All (5)

Second by: Ramsey
Against: None

Exhibit: 308
Abstaining:

48. Discuss and take action on dirt removal services at Horseshoe Arena.

Presented by Eddie Melendez, Facilities Director.

Motion to approve that dirt removal services at the Horseshoe Arena.

Motion by: Sanchez Second by: Prude Exhibit: 309-310
For: All (5) Against: None Abstaining:

49. Discuss and take action on office remodel at Cemetery.

Presented by Eddie Melendez, Facilities Director.

Motion to approve the office remodel at the Cemetery.

Motion by: Sanchez Second by: Donnelly Exhibit: 311-313
For: All (5) Against: None Abstaining:

50. Discuss and take action on job proposal for installation of I-Con at Detention Center.

Presented by Eddie Melendez, Facilities Director. Not to exceed \$450,000.00. Using BuyBoard LMC.

Motion to approve the labor to install the I-Con at Detention Center up to but not to exceed \$450,000.00.

Motion by: Donnelly Second by: Sanchez Exhibit: 314-316
For: All (5) Against: None Abstaining:

51. Discuss and take action on Task Work Order WTC2022-001.

Presented by Andrew Avis, Public Works Director. \$30,000 from 200-900-00-7030 fiscal year 2022

Motion that we authorize the County Judge to sign the Master Service agreement with West Texas Consultants Inc.

Motion by: Donnelly Second by: Ramsey Exhibit: 317-320
For: All (5) Against: None Abstaining:

52. Discuss and take action on change purchase order with Reece Albert.

Presented by Andrew Avis, Public Works Director. Additional fencing and pipeline protection. \$307,332.00 from 200-900-00-7030 fiscal year 2022

Motion that we approve the additional units to Reece Albert on CR 1232 phase 3 project.

Motion by: Donnelly Second by: Ramsey Exhibit: 321-322
For: All (5) Against: None Abstaining:

53. Discuss and take action on tax credit, abatement, or deferment to Pioneer Hutt Wind Energy, LLC.

Presented by Melissa Bruni, Project Director, Nextera Energy. Russell Malm, County Attorney said they were not ready to vote on this today. Tabled.

54. Discuss and take action on Road Use Agreement with Pioneer Hutt Wind Energy, LLC.

Presented by Andrew Avis, Public Works Director and Melissa Bruni, Project Director, Nextera Energy. The agreement if so the roads get put back to the same condition they were before the project started.

Motion that we approve the contract subject to the County Attorney's amendments.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 323-324
Abstaining:

Call item 6

55. Discuss and take action on Burns Architecture Contract amendment.

Presented by Andrew Avis, Public Works Director. Tabled for more information.

56. Discuss and take action on reimbursement check from TechShare in the amount of \$5,181.71.

Presented by Commissioner Robin Donnelly. We have invested in three different packages.

Motion that we accept the check in the amount of \$5,181.71. from TechShare.

Motion by: Donnelly
For: All (5)

Second by: Prude
Against: None

Exhibit: 325-327
Abstaining:

57. Discuss and take action on agreement with Ector County for cold storage.

Presented by County Judge Johnson. There is no cost or obligation to the County.

Motion that we authorize County Judge to sign the agreement for use of Ector County cold storage.

Motion by: Donnelly
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 328-331
Abstaining:

58. 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.

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

1. Atmos Energy on S. Fairgrounds
2. Lagoon Water Management, LLC on CR 1110
3. Enterprise Navitas Midstream Midland Basin, LLC. on SCR 1065
4. Enterprise Navitas Midstream Midland Basin, LLC. on SCR 1065

Motion to pass these 4.

Motion by: Prude
For: All (5)

Second by: Sanchez
Against: None

Exhibit: 332-341
Abstaining:

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

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

*10:45am go into Executive Session.
11:53am back into Regular Session.*

61. Adjourn.

Motion to adjourn.

Motion by: Sanchez
For: All (5)

Second by: Donnelly
Against: None


Exhibit:
Abstaining:

Adjourn at 11:53p.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, October 10, 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 September 26, 2022.





Alison Haley, County Clerk