



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

Be it remembered that on Monday the 10th day of October 2022 at 9:04 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;- **absent**
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 Dr. Darin Wood, First Baptist Church.

3. Pledges of Allegiances.

4. Acknowledge I.M.P.A.C.T.S. of the Month, Max Dion, from the Library.

Presented by Robert Segura, HR Director. Matt Glaser, Associate Library Director read allowed his nomination. Max Dion thanked his supervisors and the Court.

No action taken.

Exhibit: 15

5. Acknowledge quarterly reports for JP2 & JP4.

Presented by Judge John Barton, Justice of the Peace Precinct 4. These reports are for July through September.

Motion to acknowledge.

Motion by: Prude

Second by: Donnelly

Exhibit: 16-69

For: Donnelly, Johnson
Sanchez, Prude

Against: None

Abstaining:

6. Discuss and take action on addendum to the Department of Defense Law Enforcement Support Office Application.

Presented by Sheriff Criner.

Motion to approve the addendum to the Department of Defense Law Enforcement Support Office application.

Motion by: Sanchez

Second by: Donnelly

Exhibit: 70-79

For: Donnelly, Johnson
Sanchez, Prude

Against: None

Abstaining:

7. Discuss and take action on MOU for Program-Funded State and Local Task Force Agreement between DEA and the Midland County Sheriff's Office for FY2023.

Presented by Sheriff Criner.

Motion to approve the County Judge to sign the Program-Funded State and Local Task Force agreement between Drug Enforcement Administration and the Midland County Sheriff's Office for FY2023.

Motion by: Donnelly

Second by: Prude

Exhibit: 80-85

For: Donnelly, Johnson
Sanchez, Prude

Against: None

Abstaining:

8. Discuss and take action on MOU for HIDTA State and Local Task Force Agreement between the DEA And the Midland County Sheriff's Office. For FY2023.

Presented by Sheriff Criner.

Motion to approve the Memorandum of Understanding for HIDTA again for the FY2023.

Motion by: Prude	Second by: Donnelly	Exhibit: 86-92
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

9. Discuss and take action on budget amendment for FY2023 SAVNS/VINE Grant.

Presented by Sheriff Criner.

Motion to approve the budget amendment for FY2023 SAVNS/VINE grant.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 93-94
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

10. Discuss and take action allowing Sheriff's Office to hold Halloween celebration at Big Sky Drive-In, October 29, 2022.

Presented by Sheriff Criner. This is an annual event. This is a budgeted event.

Motion to approve the Sheriff's Office holding the Halloween celebration at Big Sky Drive-In, October 29th.

Motion by: Prude	Second by: Donnelly	Exhibit: 95-98
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

11. Discuss and take action allowing Sheriff's Office to pay Big Sky Drive-In before services are rendered for Halloween Celebration.

Presented by Sheriff Criner.

Motion to approve Sheriff's Office to pay Big Sky Drive-In before services are rendered for the Halloween celebration.

Motion by: Prude	Second by: Donnelly	Exhibit: 99-100
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

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

Presented by Sheriff Criner.

Motion to acknowledge.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 101-102
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

13. Discuss and take action on Interlocal Agreement between City of Midland and Midland County for FY2023 Justice Assistance Grant (JAG) Program Award.

Motion to approve the interlocal agreement between the City of Midland and Midland County for FY2023 Justice Assistance Grant (JAG) program award.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 103-104
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

14. Discuss and take action paying registration and all expenses for Sara Gray to attend New Treasurers' Seminar, November 30 – December 2, 2022 as a non-employee.

Presented by Mitzi Baker, Treasurer. The funds have been budgeted.

Motion to approve the expenses for Sara Gray to attend the New Treasurers' seminar, November 30 – December 2nd as a non-employee.

Motion by: Prude	Second by: Donnelly	Exhibit: 105-108
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

15. Discuss and take action on court minutes from September 12, 22, & 26, 2022.

Presented by Alison Haley, Midland County Clerk.

Motion to approve court minutes from September 12, 22 and 26, 2022.

Motion by: Sanchez	Second by: Prude	Exhibit: 109
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

16. Discuss and take action paying down comp time to the limit set by Personnel Policy 6.08 thru quarter ending September 30, 22.

Presented by Mitzi Baker, Treasurer. Comp time above 60 hours.

Motion to approve comp time.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 110-112
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

17. Discuss and take action on personnel memoranda.

Presented by Mitzi Baker, Treasurer.

Motion to approve the personnel memoranda.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 113--115
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

18. Discuss and take action on line item transfers.

Presented by Veronica Morales, Auditor. There were a few exceptions for old year and new year.

Motion to approve all line-item transfers.

Motion by: Sanchez	Second by: Prude	Exhibit: 116-144
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

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

Presented by Veronica Morales, Auditor. There were two wire transfers for the County Clerk's office. There were a few exceptions. There were a few additional bills discussed. Boon Chapman, HCC life Insurance Company and Pilot Logistics.

Motion to pay all bills, wire transfers and exceptions.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 145-156
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

20. Discuss and take action on FY2023 Indigent Defense Grant Resolution and Application.

Presented by Veronica Morales, Auditor. This is annual application. Grant award is for \$126,133.00.

Motion to approve the Indigent Defense Formual grant.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 157-164
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

21. Discuss and take action on Scytl software contract for Election Night reporting.

Presented by Carolyn Graves, Elections Administrator.

Motion to approve the Scytl software contract for election night reporting.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 165-186
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

22. Acknowledge Summary of All Collections for Tax Office.

Presented by Karen Hood, Tax Assessor Collector.

Motion that we acknowledge the Summary of Collections for August 2022.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 187-188
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

23. Discuss and take action on purchase of incentive items for Drug Court and declare a public purpose.

Presented by Judge Elizabeth N. Rainey, Drug Court. The purchase needs to meet the standards set out by the Texas Constitution Art. 11 section 52. Russell Malm, County Attorney joined the conversation. Commissioner Donnelly expressed this is a specialty Court and we have to look at this as a different type of punishment Court than we have in the past. I think the public purpose is to incentivize people to act properly while under the supervision of the Court. I think the Court does the supervision and they control how this is done because there is also supervision and incentive, I mean sanctions and incentives. So, the Court provides the balance in that. I think that creates the public purpose in maintaining control over the individuals in the Court. The benefit that we see is that we don't have to put them in jail. I think that's the biggest thing. This \$400.00 for a year vs. the \$94.00 plus that we spend on jail time is beneficial to the County, so we don't have to jail these people to make it work. Russell Malm, County Attorney stated Commissioner Donnelly's statement passes the three-part test.

Motion that we approve the incentive items purchased as public purpose and for the payment of current invoices.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 189-224
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

24. Discuss and take action on proclamation for National Adoption Day.

Presented by Judge Ellen Griffith, Child Protection Court. November 3, 2022. Judge Griffith read the proclamation.

Motion that the Judge sign the proclamation for National Adoption Day, November 3, 2022.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 225-226
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

25. Acknowledge CPS and CASA volunteers.

Judge Ellen Griffith, Child Protection Court presented a few of the volunteers and case workers. Laura Vaughn, volunteer supervisor with CASA, Kris Rangel, CPS Caseworker, Laura Sorenson CPS caseworker and another volunteer with CASA. Exhibit: 227

No action taken.

26. Discuss and take action designating St. Ann’s School an auxiliary courtroom for National Adoption Day.

Presented by Judge Ellen Griffith, Child Protection Court.

Motion that we designate St. Ann’s School youth center as an auxiliary courtroom for National Adoption Day, November 3, 2022.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 228-229
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

27. Discuss and take action on HIDTA State and Local Task Force Agreement between the Drug Enforcement Administration and the Midland County District Attorney Office.

Presented by Laura Nodolf, District Attorney.

Motion to acknowledge the State and Local task force agreement between DEA and the Midland County District Attorney Office and the certification regarding lobbying etc.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 230-236
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

28. Discuss and take action on Equitable Sharing Agreement and Certification between DEA and Midland County District Attorney’s Office.

Presented by Laura Nodolf, District Attorney.

Motion to approve the Equitable Sharing Agreement and Certification between DEA and Midland County District Attorney’s Office.

Motion by: Sanchez	Second by: Prude	Exhibit: 237-243
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

29. Discuss and take action on incentive donations and county participation with the Walk Across Texas Wellness Program through Texas A&M Agrilife.

Presented by Robert Segura, HR Director and Krista Chin, Texas A&M AgriLife Extension Health Agent for Crane, Midland and Upton Counties.

Motion that we accept the incentive donations in county participation with the Walk Across Texas Wellness Program through Texas A&M Agrilife.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 244-251
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

30. Discuss and take action on proclamation for Walk Across Texas.

Presented by Robert Segura, HR Director and Krista Chin, Texas A&M AgriLife Extension Health Agent for Crane, Midland and Upton Counties. Judge Johnson read the proclamation allowed.

Motion that we approve the proclamation for Walk Across Texas.

Motion by: Sanchez	Second by: Prude	Exhibit: 252
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

31. Discuss and take action on agreement with RCI Recourse Communications, Inc. for recruiting.

Presented by Robert Segura, HR Director. Mr. Segura would like to try this for recruiting jailers. Commissioner Prude expressed some concern about not knowing anyone who has used this product.

Motion that we do the 60-day campaign with their screening (recruiter model).

Motion by: Donnelly	Second by: Sanchez	Exhibit: 253-261
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

32. Discuss and take action on meal incentive for participation in Halloween Contest.

Presented by Robert Segura, HR Director. This will help with Employee morale. Russell Malm, County Attorney mentioned improved employee morale is a good public purpose.

Motion that we give permission to promote food/department meal as an incentive for employee engagement for the departmental Halloween contest.

Motion by: Donnelly	Second by: Prude	Exhibit: 262-290
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

33. Discuss and take action on timekeeping procedures for Extension Office.

Hold for Executive Session.

No action taken.

34. Discuss and take action renewal of insurance premiums with USI.

Presented by Ken Colston, Risk Manager.

Motion that we renew the insurance premiums with USI.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 291-302
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

35. Acknowledge damage and fleet accident reports for September 2022.

Presented by Ken Colston, Risk Manager.

Motion that we acknowledge the damage and fleet accident reports for September 2022.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 303-308
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

36. Discuss and take action on certification renewal fees for Texas Commission on Fire Protection.

Presented by Justin Bunch, Emergency Management Coordinator. This is a \$60 a year renewal. Volunteer investigator.

Motion to approve the certification renewal fees for Texas Commission on fire protection.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 309-311
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

37. Acknowledge award of Public Assistance Grant 4485DR-TX Project 677130.

Presented by Justin Bunch, Emergency Management Coordinator. In the amount of \$5,906.07.

Motion to acknowledge award of Public assistance grant 4485DR-TX project 677130.

Motion by: Donnelly	Second by: Prude	Exhibit: 312-314
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

38. Discuss and take action on Agreement with Recon Infosec, Inc.

Presented by Javier Chacon, IT Director. This is a brand-new service for cybersecurity.

Motion that we approve and sign for purchase of Recon Infosec, Inc.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 315-329
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

39. Discuss and take action on purchase of Pure Storage for I.T.

Presented by Javier Chacon, IT Director.

Motion to approve purchase of the Pure storage items.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 330-331
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

40. Discuss and take action on Preventative Maintenance Agreement for Detention Center.

Presented by Eddie Melendez, Facilities Director. Would like to back date the service dates. Kristy Engeldahl, Purchasing Agent informed the Court they did not need to sign. We can just issue a purchase order.

Motion that we issue a purchase order for the preventive maintenance of controls in the Detention Center.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 332
For: Donnelly, Johnson Sanchez, Prude	Against: None	Abstaining:

41. Acknowledge donation of trees from Advance Tree Clinic.

Presented by Eddie Melendez, Facilities Director. Advance Tree Clinic would like to donate 5 15-gallon trees to Midland County. Valued at \$1,500.00. Mr. Melendez said he is looking at planting them at the cemetery.

Motion that we approve the donation of trees from Advance Tree Clinic with the retail value of this gift valued at \$1,500.00.

Motion by: Sanchez Second by: Donnelly Exhibit: 333-334
For: Donnelly, Johnson Against: None Abstaining:
Sanchez, Prude

42. Discuss and take action on privacy fence at 509 N. Loraine.

Presented by Eddie Melendez, Facilities Director.

Motion to approve adding a privacy fence at 509 N. Loraine.

Motion by: Donnelly Second by: Sanchez Exhibit: 335-336
For: Donnelly, Johnson Against: None Abstaining:
Sanchez, Prude

43. Discuss and take action boring and installing conduit between Courthouse and 509 N. Loraine.

Presented by Eddie Melendez, Facilities Director. Javier Chacon, IT Director joined the conversation. There was some discussion about a small commercial generator on site.

Motion that we approve the boring and placement of conduit between Courthouse and 509 N. Loraine.

Motion by: Donnelly Second by: Sanchez Exhibit: 337-339
For: Donnelly, Johnson Against: None Abstaining:
Sanchez, Prude

44. Discuss and take action adding electrical services for the scope of work at 509 N. Loraine for cold storage.

Presented by Eddie Melendez, Facilities Director. D&E Electric quote for \$45,769.00.

Motion to approve adding electrical services for the scope of work at 509 N. Loraine for the cold storage.

Motion by: Sanchez Second by: Prude Exhibit: 340-341
For: Donnelly, Johnson Against: None Abstaining:
Sanchez, Prude

45. Discuss and take action on Preventative Maintenance Agreement for Midland County Generators.

Presented by Eddie Melendez, Facilities Director. Air Compressor Solutions will provide the preventive maintenance for the listed locations.

Motion to approve the preventative maintenance agreement for Midland County generators.

Motion by: Sanchez Second by: Donnelly Exhibit: 342-343
For: Donnelly, Johnson Against: None Abstaining:
Sanchez, Prude

46. Discuss and take action on HVAC Service Agreements for Midland County Facilities.

Presented by Eddie Melendez, Facilities Director. Varitec will provide quarterly HVAC maintenance for Midland County Facilities.

Motion to approve HVAC service agreements for Midland County facilities.

Motion by: Sanchez	Second by: Donnelly	Exhibit: 344-411
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

47. Discuss and take action removing asphalt and repaving at 509 N. Loraine.

Presented by Eddie Melendez, Facilities Director. Permian Paving quote for removal and repaving.

Motion that we approve the removing of asphalt and repave at 509 N. Loraine.

Motion by: Sanchez	Second by: Prude	Exhibit: 412-414
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

48. Discuss and take action on response Letter of Intent for property.

Tabled.

49. Discuss and take action on purchase contract for property at CR 1140 and CR 110.

Tabled.

50. Discuss and take action on plan for ARPA funds.

Tabled.

51. Discuss and take action on amendment of Burns Architect Contract.

Tabled.

52. Discuss and take action on RFP for CR 120 Phase 2 road reconstruction project.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize Public Works to let the road CR 120 phase 2 road reconstruction project out to bid.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 415
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

53. Discuss and take action on Work Authorization for design of Facilities Ft. Worth Storage Building.

Presented by Andrew Avis, Public Works Director.

Motion that we authorize County Judge to execute the work authorization for Facilities department storage building on County owned property on Ft. Worth.

Motion by: Donnelly	Second by: Sanchez	Exhibit: 416-419
For: Donnelly, Johnson	Against: None	Abstaining:
Sanchez, Prude		

54. Discuss and take action on Work Authorization for modifications of existing jail facility visitation area.

Presented by Andrew Avis, Public Works Director. Quote for \$99,453.00 from LMC Corporation is valid for 30 more days.

Motion that we authorize County Judge to execute the work authorization for existing jail facility visitation area modifications.

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

Second by: Sanchez
Against: None

Exhibit: 420-438
Abstaining:

55. Discuss and take action on Job Description and hiring Capital Projects Manager for Public Works.

Presented by Andrew Avis, Public Works Director. Would like a new position of Capital Projects Manager at a grade 22 step 1. This is to replace the existing open position. There was some discussion about changing the name of the position to Public Works Capital Road Projects Manager.

Motion that we approve the job description of the Capital Project Manager for Public Works at a grade 22.1.

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

Second by: Donnelly
Against: None

Exhibit: 439-441
Abstaining:

56. 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. XTO Holdings, LLC on CR 1160.
2. Oncor Electric Delivery Company on WCR 125.
3. Oncor Electric Delivery Company on WCR 170.
4. Oncor Electric Delivery Company on SCR 1150.
5. Oncor Electric Delivery Company on SCR 1030.

Motion to pass all these.

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

Second by: Donnelly
Against: None

Exhibit: 442-455
Abstaining:

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

*10:34 a.m. go into Executive Session.
11:10 a.m. back into Regular Session.*

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

59. Adjourn.

Motion to adjourn.

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

Second by: Sanchez
Against: None

Exhibit:
Abstaining:

Adjourn at 11:10 a.m.

A Meeting of the Midland County Commissioners Court will be held on Monday, October 24, 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 October 10, 2022.





Alison Haley, County Clerk