

THE STATE OF TEXAS

COUNTY OF TERRELL

Terrell County Commissioners Court Regular Session
Minutes of April 11, 2022

A quorum of the Terrell County Commissioners Court convened in regular session on Monday, April 11, 2022 at 9:00 a.m. in the commissioners courtroom of the Terrell County Courthouse, 105 Hackberry Street, Sanderson, Texas. Notice of this meeting was timely posted at a place readily accessible to the general public at all times and remained posted for at least seventy-two hours preceding the scheduled time of this session. Notice of this meeting was also published in the County's website.

1.- Call to Order/Invocation -The Hon. Dale Carruthers, Terrell County Judge, called this meeting to order at 9:00 a.m. Commissioner Johnson gave the Invocation.

The following members of this Court were present:

Hon. Adam Johnson	Commissioner Pct. 1
Hon. Mike Sanchez	Commissioner Pct. 2
Hon. Heather Gully	Commissioner Pct. 4

The Hon. Arnulfo Serna, Commissioner Pct. 3 was absent from this regular meeting. Other Public Elected Officials and Appointed Officers of this county included:

Hon. Rebecca Luevano	County Treasurer
Hon. Joe Juarez	Interim Sheriff & Tax Assessor-Collector
Hon. Ken Bellah	County Attorney
Martha Allen	Interim County Clerk

2.-The Pledge of Allegiance and Pledge to the Texas Flag were recited, followed by the general order of business, in accordance with the Court's Agenda.

3.- Public Comments on Agenda items: there were none at this time. The County Judge received correspondence from Mrs. Maria Gonzalez and Mr. Jose L. Gonzalez, family of the late Santiago Gonzalez, Terrell County Sheriff, thanking this Court, law enforcement agencies and the entire Sanderson community for the honorable farewell, and the utmost respect and compassion shown during the Sheriff's sudden passing.

4.- Consider approving minutes of previous meeting(s) - Motion made by Commissioner Johnson to approve the minutes of the March 14, 2022, Regular Session; March 21, 2022 Special Session; March 31, 2022 Public Hearing and March 31, 2022 Special Session, as presented by the Interim Clerk. Motion seconded by Commissioner Sanchez. Commissioner Gully, having been absent from some of these meetings, abstained. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

5.- Discuss and take action on Permanent School Fund Projects - Mrs. Amanda Magallan, Terrell County ISD Superintendent, presented request for payment for the following projects: resurfacing of the track field in the amount of \$340,859.00. The tennis courts resurfacing project is pending estimates from various contractors. As to the purchase of real property, the Board has not executed a purchase contract, awaiting the results of the real estate appraisal.

Motion made by Commissioner Johnson to approve payment of \$340,850.00 for track resurfacing costs and to transfer funds from the Permanent School Fund to Terrell County ISD. Motion seconded by Commissioner Sanchez. Motion carried 4-0. IT IS SO ORDERED BY THE COURT.

6.- Discuss and take action on presentation by Gina Wicox of the Big Bend Family Crisis Center regarding Senate Bill 476 Sexual Assault Team. Ms. Wilcox informed that Senate Bill 476 provides for county commissioners courts to establish an adult sexual assault response (SART) team and gives them authority to appoint members for the required membership guidelines. The Big Bend Family Crisis Center has continuously provided emergency shelter services to Terrell County residents in need. These services are available regardless of the immigration status of the victims.

The Court was also informed that Big Bend Regional Medical Center has a staff certified sexual assault nurse examiner and the State of Texas bears the cost of forensic examinations.

Motion made by Commissioner Johnson to approve the appointment of agencies and individuals, as herein presented for required membership in SART, to comply with the requirements of SB 476. Motion seconded by Commissioner Gully. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (A copy of Responsibilities Allocated to County Commissioners Court SB476, 87th Texas Legislature with required list of members is attached hereto and made a part hereof).

7.-Presentation by Mr. Victor Uvalle, Representative of Texas Association of Counties on risk control services and claims. This informative presentation included workers' compensation claims training schedule, ways to process claims and four-year prior history to price claims. Mr. Uvalle delivered a booklet on Risk Management Services and Training offered by the Texas Association of Counties. The Court was informed that counties that are members of this pool receive a credit balance when claims are down.

8.- Discuss and take action on presentation by Elizabeth Stavley of Lone Star Copiers for service renewal and equipment replacement. Her proposal included one Kyocera TASKalfa 3554ci, and three Kyocera M4132idn for the clerk, treasurer and sheriff's office. Also, the company's donation of the current Kyocera TASKalfa3051ci to the clerk's vault. The Court deliberated on the \$30,114.24 Purchase Option and the \$902.21 36 Month Lease Option. The Court inquired into service and maintenance, parts and supplies. It came to the Court's attention that the copiers that are currently in use are not provided with a reliable service agreement.

Motion made by Commissioner Johnson to approve the \$30,114.24 Purchase Option with the Maintenance Campus Plan and to apply for ARPA funding for this purchase. Motion seconded by Commissioner Sanchez. Motion carried 4-0. (A copy of this proposal is attached hereto and made a part hereof).

9.-Discuss and take action on presentation from New York Life regarding supplemental life insurance for county employees. Mr. Carl Person and Mr. Thomas Monsivais joined this meeting via remote access/Zoom and answered questions regarding family coverage, age limitation for children, general age limitation, dependent coverage limits, choice of plans, continuation of coverage after separation from the county and payment of premium through payroll deductions or individual options.

Motion made by Commissioner Sanchez to authorize New York Life representatives to approach county employees about their insurance plan. Motion seconded by Commissioner Johnson. Motion carried 4-0. IT IS SO ORDERED BY THE COURT.

10.- Discuss and take action on Resolution of Award for Professional Planning Services for the TxCDBG Colonia Fund Planning. Mr. Carl Esser of Esser & Company LLC joined this meeting via remote access/Zoom. He informed that this is a ten year comprehensive plan for water and waste water planning, drainage, and related projects. This contract is for grant writing professional administration/management/planning services.

Motion made by Commissioner Johnson to pass Resolution Authorizing the Award of Professional Service Provider Contract for the 2022 TxCDBG Colonia Fund Planning (CFP) to Esser & Company LLC. Motion seconded by Commissioner Sanchez. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (Copy of Resolution is attached hereto and made a part hereof).

11.- Discuss and take action on Resolution of Award for Grant Writing, Grant Administration Services for 2022 TxCDBG Colonia Fund Construction.

Motion Made by Commissioner Gully to pass Resolution Authorizing the Award of Professional Service Provider Contract for the 2022 TxCDBG Colonia Fund Construction (CFC) to Esser & Company LLC for grant writing and professional administration/management services. Motion seconded by Commissioner Sanchez. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (Copy of this Resolution is attached hereto and made a part hereof).

12.- Discuss and take action on Resolution of Award for Professional Engineering Services for the 2022 TxCDBG Colonia Fund Construction. Motion made by Commissioner Johnson to pass Resolution Authorizing the Award of Professional Service Provider Contract for the 2022 TxCDBG Colonia Fund Construction (CFC) to Burgess & Niple for professional engineering services. Motion seconded by Commissioner Gully. Motion carried 4-0. IT IS SO ORDERED. (Copy of this resolution is attached hereto and made a part hereof).

13.- Discuss and take action on Resolution approving Terrell County's American Recovery Plan Act Fund Allocation (ARPA). Terrell County has been awarded \$75,000 in Coronavirus State and Local Fiscal Recovery Funds as part of the American Rescue Plan Act. These funds are provided by the Federal government for eligible expenditures related to COVID-19.

Motion made by Commissioner Johnson to pass Resolution for ARPA Funds Allocation to Standard Allowance for Revenue Loss. Motion seconded by Commissioner Sanchez. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (Copy of Resolution is attached hereto and made a part

hereof)

14.- Discuss and take action on Proclamation designating the month of April as Fair Housing Monthly in Terrell County. Motion made by Commissioner Sanchez to issue such Proclamation. Motion seconded by Commissioner Johnson. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (Copy of Proclamation is attached hereto and made a part hereof).

Next came on for consideration items #16 and 21 of this Court's Agenda:

16.- Discuss and take action to continue or renew the Local Disaster Declaration, due to severe drought. Motion made by Commissioner Gully to continue the Local Disaster Declaration. Motion seconded by Commissioner Sanchez. Motion carried 4-0. IT IS SO ORDERED BY THE COURT (Copy of Declaration is attached hereto and made a part hereof).

21.- Discuss and take action on Resolution for OPSG #32-09306 FY21. Motion made by Commissioner Sanchez to pass Resolution for the Operation Stonegarden 2021 Terrell County 3209306 project to be operated for the period March 1, 2022 through February 28, 2023 and to designate the Terrell County Judge as the Authorized Official. Motion seconded by Commissioner Johnson. Motion carried 4-0. IT IS SO ORDERED BY THE COURT. (Copy of Resolution is attached hereto and made a part hereof).

Commissioner Sanchez was dismissed from this regular meeting at 11:40 a.m.

15.- Discuss and take action on approving the Chamber of Commerce upcoming Road Race, Cinco de Mayo and July 4th events. The Chamber requested \$1,000 per event from the Hotel/Motel Tax fund. Motion made by Commissioner Gully to approve this request and release funds to the Chamber of Commerce. Motion seconded by Commissioner Johnson. Motion carried. 3-0. IT IS SO ORDERED BY THE COURT.

17.- Discuss and take action on notice of consolidating election precincts. Motion made by Commissioner Gully to authorize the consolidation of precincts 1,2,3 and 4 for the Special Constitutional Amendment Election on May 7, 2022 and the Primary Runoff Elections on May 24, 2022. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT. (Notice of Precinct Consolidation is on file in the Clerk's Office)

18.- Discuss and take action on Orders of Election. Motion made by Commissioner Gully to issue Order of Election for the Special Constitutional Amendment on May 7, 2022 and the Primary Runoff on May 24, 2022. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT. (Orders of Election are on file in the Clerk's Office).

19.- Discuss and take action on appointing Election Judges and Alternates. Motion made by Commissioner Gully to appoint Ms. Nancy Henderson as Presiding Judge and Ms. Veronica Aduato as Alternate Judge for Election Day; Ms. Alex Nash-Ford as Presiding Judge and Ms. Pam Deaton as Alternate Judge for the Early Voting Ballot Board for the Special Constitutional Amendment Election on May 7, 2022 and the Primary Runoff Election on May 24, 2022, and to appoint Mr. Blain

Chriesman as Presiding Judge of the Central Counting Station for the Primary Runoff Election on May 24, 2022. Motion seconded by Commissioner Johnson. IT IS SO ORDERED BY THE COURT.

20.- Consider combining county election precincts to upcoming elections. Motion made by Commissioner Gully to authorize combining election precincts for the Special Constitutional Amendment Election on May 7, 2022 and the Primary Runoff Election on May 24, 2022, pursuant to the provisions of the Texas Election Code, Sec. 42.0051 and Sec. 42,006, pending the opinion and advise of legal counsel from the Texas Secretary of State, Elections Division. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

Clerk's note: agenda item # 21 on a previous page

22.- Discuss and take action on opening of the Swimming Pool, scheduling, hiring lifeguards and hours of operation for the 2022 season. Motion made by Commissioner Johnson to open the Swimming Pool on May 31, 2022, with an operating budget of \$5,000, hire four lifeguards and to set the hourly pay at \$8-9, and potentially close this facility on or about August 7, 2022. Motion seconded by Commissioner Gully. Motion carried 3-0. IT IS SO ORDERED BY THE COURT. In regard to the operation of the concession stand, no letters of intent have yet been received by this Court.

23.- Discuss and take action on advertising for employment. Motion made by Commissioner Johnson to authorize the Road and Bridge Superintendent to advertise, interview and hire for the position of Tech 1 Level 2 for his department. Motion seconded by Commissioner Gully. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

24.- Discuss and take action on paying list of bills. Motion made by Commissioner Gully to approve payment of the regular invoiced bills totaling \$20,248.81, per invoice file listing dated 04-08-2022. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

25.- Discuss and take action on paying list of other bills and ratified bills. Motion made by Commissioner Gully to pay the list of **other** bills totaling \$4,690.32, as per invoice file listing dated 04-07-2022, and **un-invoiced ratified bill** listing totaling \$12,754.14, dated 04-11-2022. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

26- Consider authorizing the Treasurer to pay: payroll, utility bills not yet received from previous months: Rio Grande Electric; Reliant; AT&T; West Texas Gas Card; W&W Trucking; Lone Star Copiers; Kyocera (copiers); Dial Tone; Verizon and Big Bend Telephone. Motion made by Commissioner Johnson to authorize payment of these accounts upon receipt of statement(s). Motion seconded by Commissioner Gully. Motion carried 3-0. IT IS SO ORDERED BY THE COU

27.- Discuss and take action on any needed amendments and transfers in the budget. There were none requested at this time.

28.- Consider approval of the following monthly reports:

- a).- Sheriff's Department/Animal Control/written report
- b).- Justices of the Peace Pct. 1 & 2 and 3& 4/written report
- c).- County and District Clerk/ oral report by Interim Clerk
- d). Constable/no report
- e).- EMS/oral report
- f).- Road and Bridge Superintendent/written report
- g).- Senior Citizens Transportation/written report
- h).- AgriLife Extension/no report
- i).- Museum and Historical Commission/no report
- j).- Terrell County Public Library/no report
- k).- Visitor Center/no report
- i).- Sanitation/no report
- m).- Health Clinic/written report
- n).- Treasurer's Office/written reports for General Fund accounts
Hotel/Motel Tax account; Venue Tax, Visitor Center, Historical
Commission and Grant Reimbursement. Permanent School Fund
Project and Payroll Liabilities.
- o).- Volunteer Fire Department/written report
- p).- Airport/written report
- q).- Food Pantry/no report

Motion made by Commissioner Gully to accept the monthly reports received by the Court. Motion seconded by Commissioner Johnson. Motion carried 3-0. IT IS SO ORDERED BY THE COURT.

17.- Adjourn. Motion made by Commissioner Gully to adjourn this meeting. Motion seconded by Commissioner Johnson. Motion carried 3-0. THIS REGULAR SESSION OF THE TERRELL COUNTY COMMISSIONERS COURT STANDS ADJOURNED AT 12:40 P.M.



Martha Allen, Interim County Clerk
Terrell County Commissioners Court
Terrell County, Texas

ORDER TO APPROVE MINUTES OF REGULAR SESSION

The above and foregoing minutes of the Regular Session held on the 11th day of April, 2022 have been read and examined and the same are hereby approved as _____ presented, _____ amended this 9th day of May, 2022 in Open Court.

Dale Carruthers

Presiding Officer

Attest:

Baeline Thompson

