

COMMISSIONERS COURT MINUTES, SPECIAL SESSION, SEPTEMBER 23, 2024

The Terrell County Commissioners Court met on Friday, the 23<sup>RD</sup> day of September 2024, at 2:00 P.M. in the commissioner's courtroom of the county courthouse in the city of Sanderson, Texas. Notices of the meeting place were posted at a site readily accessible to the general public at all times. They remained posted for at least seventy-two hours preceding the scheduled time of this meeting, in compliance with the Open Meetings Act.

The Hon. Dale Carruthers, County Judge, called the meeting to order. The following members of this Court and Officers of the County were present:

Hon. Adam Johnson – Zoom	Commissioner Pct. 1
Hon. Lupe Garza	Commissioner Pct. 2
Hon. Arnulfo Serna – Zoom	Commissioner Pct. 3
Hon. Gene Chavez	Commissioner Pct. 4
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Veronica Aduino	Deputy County and District Clerk
Daniela Garza	Deputy County Treasurer
Hon. Kenneth Bellah – Zoom	County Attorney
Manuel Jimenez, Bailiff	Deputy County Sheriff
Juliana Pannell	EMS Director
Davis Powell – Zoom	Architect
Carl Esser – Zoom	Esser & Company Consulting, LLC

Commissioner Chavez gave the Invocation and led the commissioner's court in the Pledge of Allegiance to the United States flag, followed by the Pledge of Allegiance to the Republic of Texas Flag.

**Terrell County Senior Citizen Center CDBG CDV 23-0095** – Commissioner Chavez motioned to reject the bid received on September 9, 2024. Commissioner Johnson seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

**Rebids for Terrell County Senior Citizen Center CDBG CDV 23-0095** – No Action.

**Change Troy from Paramedic to Captain** – Commissioner Chavez motioned to approve the change of Troy from Paramedic to Captain. Commissioner Johnson seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

**Executive Session** – Commissioners went into Executive Session at 2:20 p.m. and came out of Executive Session at 3:21 p.m.

**Change EMS Director's Title** – Commissioner Chavez motioned to change the EMS Director's title to Chief of Operations and Lead Paramedic, receiving \$35.00 an hour for Full Time plus Insurance and \$24.00 an hour for Overtime. Commissioner Garza seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

#### **Terrell County Chief of Operations Job Description**

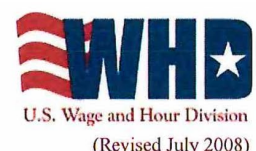
- Review, correct and improve patient care reports. Maintain patient confidentiality and oversee HIPPA laws and regulations. Maintain up-to-date knowledge of Federal and State laws, rules, and regulations related to aspects of EMS.
- Manages fleet maintenance.
- Liaison with the hospitals and medical community.

- Creates an environment that clearly demonstrates teamwork and professionalism.
- Assess employee needs and address problems and issues through an effective action plan.
- Assures necessary programs are provided to employees to address remedial training needs.
- Perform scheduling and ensure ALS standards of a Paramedic and EM on-duty 24 hours at all times.
- Coordinates with all EMS field personnel, to ensure appropriate delivery of EMS services and response time requirements.
- Manage QA/CQI issues with the physician.
- Address and resolve issues raised by the hospitals and other medical facilities.
- Reviews and develops department policies, procedures and medical protocols.
- Acquires and maintains working knowledge of, County, State, and Federal laws, regulations and medical protocols dealing with the delivery of pre-hospital emergencies. Attains and maintains any required licenses/certifications and ensures all employees attain and maintain required licenses/certifications.
- Ensures compliance with all Texas Department of State Health Services (TxDSHS) Laws, rules and regulations related to EMS care in Texas.
- Designated Agent with DEA.
- Assists with the preparation and administration of the annual EMS department budget.
- Monitors and confirms documentation is transmitted to the third-party billing department in a timely manner.
- Ensure run reports and any subsequent billing matters are filed/addressed within one week of EMS response or request. Assists with the preparation and administration of EMS operations, responsible for all EMS medical supplies ordering for highest efficiency, and placing medical equipment in service.
- Supervises the effective operation, utilization, and maintenance of medical equipment and medical supply inventory to keep equipment well maintained and focus on loss prevention.
- Responsible for all operations of EMS department.
- Assists in QA/CQI of EPCRs
- Reports discrepancies to EMS Chief and complete reports on assigned investigations and maintain necessary documentation.
- Paramedic captains supervise the performance of providers, both operational and administrative.
- Training employees of all certification levels to TCEMS Procedures and Protocols.
- Assists in Maintaining inventory of department medical supplies and reports levels to EMS Chief.
- Assists in restocking medication and narcotics along with proper documentation.
- Operates as a Field Paramedic and maintains certificates.

**Chief of Operations and Lead Paramedic Salary adjustment** – Refer to the Change of EMS Director’s Title for the Salary adjustment.

**Raising EMS Driver’s Pay** – Commissioner Chavez motioned to raise the EMS Driver’s pay from \$150.00 to \$250.00 per shift. Commissioner Johnson seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

**U.S. Department of Labor**  
Wage and Hour Division



## Fact Sheet #22: Hours Worked Under the Fair Labor Standards Act (FLSA)

This fact sheet provides general information concerning what constitutes compensable time under the FLSA. The Act requires that employees must receive at least the minimum wage and may not be employed for more than 40 hours in a week without receiving at least one and one-half times their regular rates of pay for the overtime hours. The amount employees should receive cannot be determined without knowing the number of hours worked.

### Definition of “Employ”

By statutory definition the term “employ” includes “to suffer or permit to work.” The workweek ordinarily includes all time during which an employee is necessarily required to be on the employer’s premises, on duty or at a prescribed work place. “Workday”, in general, means the period between the time on any particular day when such employee commences his/her “principal activity” and the time on that day at which he/she ceases such principal activity or activities. The workday may therefore be longer than the employee’s scheduled shift, hours, tour of duty, or production line time.

### Application of Principles

**Employees “Suffered or Permitted” to work:** Work not requested but suffered or permitted to be performed is work time that must be paid for by the employer. For example, an employee may voluntarily continue to work at the end of the shift to finish an assigned task or to correct errors. The reason is immaterial. The hours are work time and are compensable.

**Waiting Time:** Whether waiting time is hours worked under the Act depends upon the particular circumstances. Generally, the facts may show that the employee was engaged to wait (which is work time) or the facts may show that the employee was waiting to be engaged (which is not work time). For example, a secretary who reads a book while waiting for dictation or a fireman who plays checkers while waiting for an alarm is working during such periods of inactivity. These employees have been “engaged to wait.”

**On-Call Time:** An employee who is required to remain on call on the employer’s premises is working while “on call.” An employee who is required to remain on call at home, or who is allowed to leave a message where he/she can be reached, is not working (in most cases) while on call. Additional constraints on the employee’s freedom could require this time to be compensated.

**Rest and Meal Periods:** Rest periods of short duration, usually 20 minutes or less, are common in industry (and promote the efficiency of the employee) and are customarily paid for as working time. These short periods must be counted as hours worked. Unauthorized extensions of authorized work breaks need not be counted as hours worked when the employer has expressly and unambiguously communicated to the employee that the authorized break may only last for a specific length of time, that any extension of the break is contrary to the employer’s rules, and any extension of the break will be punished. Bona fide meal periods (typically 30 minutes or more) generally need not be compensated as work time. The employee must be completely relieved from duty for the purpose of eating regular meals. The employee is not relieved if he/she is required to perform any duties, whether active or inactive, while eating.

**Sleeping Time and Certain Other Activities:** An employee who is required to be on duty for less than 24 hours is working even though he/she is permitted to sleep or engage in other personal activities when not busy. An employee required to be on duty for 24 hours or more may agree with the employer to exclude from hours worked bona fide regularly scheduled sleeping periods of not more than 8 hours, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night’s sleep. No reduction is permitted unless at least 5 hours of sleep is taken.

**Lectures, Meetings and Training Programs:** Attendance at lectures, meetings, training programs and similar activities need not be counted as working time only if four criteria are met, namely: it is outside normal hours, it is voluntary, not job related, and no other work is concurrently performed.

**Travel Time:** The principles which apply in determining whether time spent in travel is compensable time depends upon the kind of travel involved.

**Home to Work Travel:** An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not work time.

Home to Work on a Special One Day Assignment in Another City: An employee who regularly works at a fixed location in one city is given a special one day assignment in another city and returns home the same day. The time spent in traveling to and returning from the other city is work time, except that the employer may deduct/not count that time the employee would normally spend commuting to the regular work site.

Travel That is All in a Day’s Work: Time spent by an employee in travel as part of their principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.

Travel Away from Home Community: Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across the employee’s workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. As an enforcement policy the Division will not consider as work time that time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

**Typical Problems**

Problems arise when employers fail to recognize and count certain hours worked as compensable hours. For example, an employee who remains at his/her desk while eating lunch and regularly answers the telephone and refers callers is working. This time must be counted and paid as compensable hours worked because the employee has not been completely relieved from duty.

**Where to Obtain Additional Information**

For additional information, visit our Wage and Hour Division Website: <http://www.waehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4US WAGE (1-866-487-9243). This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

**U.S. Department of Labor**  
 Frances Perkins Building  
 200 Constitution Avenue, NW  
 Washington, DC 20210

**1-866-4-USWAGE**  
 TTY: 1-866-487-9243  
[Contact Us](#)

**Needed Amendments and Transfers in the Budget** – Commissioner Chavez motioned to make amendments and transfers in the budget. Commissioner Garza seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

Amendments & Transfers			10-520-253	284.46	10-520-250
Line item over amount	Line item coming from		10-540-315	169.34	10-540-380
10-400-100	4991.76	10-430-210	10-540-430	40221.58	10-430-210
10-400-150	5.92	10-400-220	10-540-350	2508.82	10-540-405
10-400-200	382.36	10-400-220	10-540-431	3787.69	10-540-377
10-400-320	4.55	10-400-220	10-540-360	4528.22	10-430-210
10-410-100	.60	10-410-220	10-540-365	5142.50	10-430-210
10-410-150	5.92	10-410-220	10-540-368	12592.95	10-430-210
10-410-150	1.11	10-410-220	10-540-368	1204.00	10-540-381
10-410-320	880.50	10-410-220	10-540-900	4195.43	10-430-210
10-410-320	592.61	10-410-220	20-610-200	81.64	20-610-220
10-420-300	968.04	10-420-220	20-610-320	153.64	20-610-220
10-430-100	.60	10-430-210	20-610-325	370	20-610-220
10-430-155	754.20	10-430-210	20-622-200	49.27	20-625-220

10-430-161	5.92	10-430-210	20-625-460	1175.76	20-635*210
10-430-200	288.41	10-430-210	20-635-463	777	20-635-210
10-430-320	2866.36	10-430-210	20-635-465	2016	20-635-210
10-440-102	4831.90	10-430-210	20-640-465	934.81	20-640-475
10-440-320	303.88	10-440.325	20-640-470	68.36	20-640-475
10-450-200	504.56	10-450-220	20-650-480	1098.00	20-635-461
10-450-2 10	809.92	10-450-220	20-650-480	1542.39	20-365-208
10-460-110	97.25	10-460-325	30-700-200	2417.99	30-700-210
10-460-200	7.32	10-460-325	30-700-503	13765.16	30-700-500
10-460-320	432.54	10-460-325	30-700-503	15091.18	30-700-210
10-470-118	1402.20	20-635-461	30-700-504	909.12	30-700-210
10-470-119	10450.84	20-635-461	30-700-505	5000	30-700-507
10-470-126	713.63	10-470-122	30-720-325	3993.63	30-720-320
10-470-200	983.27	10-470-122	30-720-325	480.21	30-720-320
10-490-144	4426.50	10-490-146	30-730-530	2488.17	30-750-565
10-490-150	7203.07	10-490-220	40-840-640	500	40-840-655
10-490-150	17004.29	10-490-210	40-840-640	544	40-540-900
10-490-152	10514.46	10-490-148	40-830-630	746.90	10-420-210
10-490-153	1064.40	10-490-155			
10-490-170	584.76	10-490-169			
10-500-320	631.00	10-500-315			

**Adjourn** - Commissioner Serna made a motion to adjourn. Commissioner Chavez seconded the motion calling for a vote; all members answered "aye," and the motion carried.

/s/ Raeline Thompson

Raeline Thompson, County Clerk, and Ex-officio Clerk  
Terrell County Commissioners Court

**ORDER TO APPROVE MINUTES OF PUBLIC HEARING**

The above and preceding minutes of the meeting held on September 23<sup>rd</sup>, 2024, are now approved (as amended this \_\_\_\_\_ day of \_\_\_\_\_ 2024) as presented IN OPEN COURT this 9<sup>TH</sup> day of December AD, 2024.

Dale Caruthers Presiding Officer

Attest: Raeline Thompson County Clerk

