

COMMISSIONERS COURT MINUTES, REGULAR SESSION, JUNE 10, 2024

The Terrell County Commissioners Court met on Monday, the 10th day of June 2024, at 9:00 A.M. in the commissioner's courtroom of the county courthouse in the city of Sanderson, Texas. Notices of the meeting place were posted on a site that was 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	Commissioner Pct. 1
Hon. Lupe Garza	Commissioner Pct. 2
Hon. Arnulfo Serna	Commissioner Pct. 3
Hon. Gene Chavez	Commissioner Pct. 4

Heather Gordon - Deputy	County and District Clerk
Hon. Pamela Blaylock	County Treasurer
Hon. Kenneth Bellah	County Attorney
Absent	County Sheriff

Commissioner Garza 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.

Public Comments on Agenda Items – None

Minutes from previous meetings—No Action.

Presentation of Plaque to Lea Hawn for her Service at the Food Pantry—Judge Dale Carruthers presented a plaque to Lea Hawn for her hard work and many years of dedication to the Food Pantry.

Bank Line of Credit for TCEQ – Commissioner Johnson motioned to accept the amount adjustment of \$254,646.00 in the irrevocable line of Credit for the Terrell County Landfill TCEQ Permit No. MSW-673. Commissioner Serna seconded the motion, calling for a vote; all members answered "aye," and the motion carried.

May 24, 2024

Ms. Cynthia Brezina Texas Commission on Environmental Quality Region 7 10 Desta Dr., #350 Midland, Texas 79705 Cynthia.Brezina@Tceq.Texas.Gov	TCEQ Executive Director Attn: Financial Assurance Unit, MC-184 P.O. Box 13087 Austin, TX 78711-3087
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RE: Terrell County Landfill
TCEQ Permit No. MSW-673
Closure and Post-Closure Cost Estimate

Dear Ms. Brezina:

Per your request and site inspection, Terrell County hereby provides an updated financial assurance for closure and post-closure care of the above referenced MSW-673. Attached is a detailed written cost estimate in current dollars for post-closure care activities and financial assurance for the costs associated with final closure and post-closure care of the referenced landfill.

As per 30 TAC '305.44(b), I certify under penalty of the law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions, please feel free to call John Landgraf, P.E. of Landgraf, Crutcher & Associates, Inc. at (432) 332-5058.

Sincerely,

Dale Carruthers
Terrell County

Enclosures (2)

cc: John F. Landgraf, P.E., Landgraf, Cutcher & Associates, Inc.

**LOCAL GOVERNMENT FINANCIAL TEST
LETTER FROM CHIEF FINANCIAL OFFICER**

TCEQ Executive Director
Attn: Financial Assurance Unit, MC-184
P.O. Box 13087
Austin, TX 78711-3087

Ms. Cynthia Brezina
Texas Commission on Environmental Quality
10 Desta Dr., #350
Midland, TX 79705

I am the chief financial officer of **Terrell County**, (add address of local government). This letter is in support of this local government's use of the financial test to demonstrate financial assurance, as specified in 30 Texas Administrative Code (TAC) Chapter 37 (relating to Financial Assurance).

1. This local government is the owner or operator of the following facilities for which financial assurance for closure, post closure, or corrective action is demonstrated through the financial test specified in 30 TAC §37.271 (relating to Local Government Financial Test). The current cost estimates covered by the test are shown for each facility:

**Terrell County Landfill
TCEQ Permit No. MSW-673
P.O. Box 4810, Sanderson, Terrell County, Texas 79848**

\$ 254,646.00

2. This local government guarantees, through the guarantee specified in 30 TAC §37.281 (relating to Local Government Guarantee), the current closure, post closure, or corrective action cost estimates of the following facilities owned or operated by **Terrell County**. The current cost estimates so guaranteed are shown for each facility:

**Terrell County Landfill
TCEQ Permit No. MSW-673
P.O. Box 4810, Sanderson, Terrell County, Texas 79848**

\$ 254,646.00

The fiscal year of this local government ends on _____. The figures for the following items marked with an asterisk are derived from this local government's independently audited, year-end financial statements for the latest completed fiscal year, ended _____.

RATIO INDICATORS OF FINANCIAL STRENGTH

1. Sum of current cost estimates

(total of all cost estimates shown in the paragraphs above) \$ 254, 646.00

*2. Sum of cash and marketable securities \$ _____

*3. Total expenditures \$ _____

*4. Annual debt service \$ _____

5. Environmental obligations assured by a financial test to demonstrate financial assurance in the following amounts under commission regulations and the Code of Federal Regulations (CFR) or state equivalent rules:

(a) Municipal Solid Waste under 30 TAC Chapter 330 and 40 CFR Part 258
\$ 254,646.00

(b) Hazardous waste treatment, storage and disposal facilities under 30 TAC Chapter 335 and 40 CFR Parts 264 and 265 \$ None

(c) Petroleum underground storage tanks under 30 TAC Chapter 334 and 40 CFR Part 280 \$ None

(d) Underground Injection Control System facilities under 30 TAC Chapter 331 and 40 CFR Part 144 \$ None

(e) PCB commercial storage facilities under 40 CFR Part 761 \$ None

(f) Additional environmental obligations not shown above \$ None \$ _____

Total (a)-(f) \$ 254,646.00

*6. Total Annual Revenue \$ _____

Indicate either "yes" or "no" to the following questions.

7. Is line 2 divided by line 3 greater than or equal to 0.05? (yes/no)

8. Is line 4 divided by line 3 less than or equal to 0.20? (yes/no)

9. Is line 5 divided by line 6 less than or equal to 0.43? (yes/no)

BOND RATING INDICATOR OF FINANCIAL STRENGTH

1. Sum of current cost estimates \$ 254,646.00

2. List the following information on all the outstanding, rated, unsecured general obligation bonds issued to the local government:

Current bond rating of most recent issuance and name of rating service _____

Date of issuance of bond _____

Date of maturity of bond _____

3. Environmental obligations assured by a financial test to demonstrate financial assurance in the following amounts under commission regulations and the Code of Federal Regulations (CFR) or state equivalent rules:

(a) Municipal Solid Waste under 30 TAC Chapter 330 and 40 CFR Part 258 \$ 254,646.00

(b) Hazardous waste treatment, storage and disposal facilities under 30 TAC Chapter 335 and 40 CFR Parts 264 and 265 \$ None

(c) Petroleum underground storage tanks under 30 TAC Chapter 334 and 40 CFR Part 280 \$ None

(d) Underground Injection Control System facilities under 30 TAC Chapter 331 and 40 CFR Part 144 \$ None

(e) PCB commercial storage facilities under 40 CFR Part 761 \$ None

(f) Additional environmental obligations not shown above \$ None

Total (a)-(f) \$ 254,646.00

*4. Total Annual Revenue \$ _____

Indicate either "yes" or "no" to the following question.

5. Is line 3 divided by line 4 less than or equal to 0.43? (yes/no)

I hereby certify that the wording of this letter is identical to the wording specified in 30 TAC §37.371 as such regulations were constituted on the date shown immediately below. I further certify the following: that the local government's financial statements are prepared in conformity with Generally Accepted Accounting Principles for governments, including conformance with General Accounting Standards Board Statement 18, and its financial statements have been audited by an independent Certified Public Accountant (CPA); that the local government has not operated at a deficit equal to 5.0% or more of total annual revenue in each of the past two fiscal years; that the local government is not in default on any outstanding general obligations bonds; that the local government does not have outstanding general obligations rated lower than Baa as issued by Moody's or BBB as issued by Standard and Poor's; and that the local government has not received an adverse opinion, disclaimer of opinion, or other qualified opinion from the independent CPA.

(Signature) _____

(Name) _____

(Title) _____

(Date) _____

TERRELL COUNTY LANDFILL TCEQ PERMIT NO. MSW-673 CLOSURE/POST-CLOSURE COST ESTIMATE				
6.0 CLOSURE COSTS				
COST ITEM	UNITS	ESTIMATED QUANTITY	UNIT COST	ESTIMATED TOTAL
6.1 Engineering				
6.1.1 Topographic Survey	acres	10.0	500.00	\$5,000
6.1.2 Site Evaluation	acres	10.0	500.00	5,000
6.1.3 Final Closure Plan	acres	10.0	700.00	7,000
6.1.4 Closure Inspection and Testing	acres	10.0	4,000.00	40,000
6.1.5 Largest Area Ever Needing Closing	acres	5.0		
6.2 Construction				
6.2.1 Final Cover System (5 acres)				
6.2.1.1 Infiltration Layer/Soil Placement (18")	cubic yards	12,100	12.50	151,250
6.2.1.2 Erosion Layer Placement (6")	cubic yards	4,033	10.00	40,333
6.2.1.3 Revegetation	acres	10.0	500.00	5,000
6.2.2 Site Grading & Drainage	acres	10.0	1,000.00	10,000
6.3 Third Party Administrative Costs	lump sum	1.0	7,500.00	2,813
			TOTAL	\$226,396
			cost per acre	\$22,640

Note: Erosion Layer Placement includes cost for site grading.

7.0 POST-CLOSURE COSTS				
COST ITEM	UNITS	ESTIMATED QUANTITY	UNIT COST	ESTIMATED TOTAL
7.1 Engineering Costs				
7.1.1 Post-closure Plan	acres	10	200.00	\$2,000
7.1.2 Site Inspection (annual)	acres (years)	50	175.00	8,750
7.1.3 Correctional Plans and Specifications (annual)	acres (years)	50	100.00	5,000
7.1.4 Site Monitoring (annually)				
Groundwater - NO wells	tests (years)	0	0.00	0
7.2 Construction Costs (annual)	acres (years)	50	250.00	12,500
(site-maintenance and corrective action, as needed)				
			SUBTOTAL	\$28,250
	post closure cost per acre			
			TOTAL	\$28,250
			cost per acre	\$2,825
TOTAL CLOSURE AND POST CLOSURE				\$254,646

Note: Erosion Layer Placement includes cost for site grading.

Approval of a Generac Generator for \$7,000.00 for the Fire House paid from the Volunteer Fire Dept. line item – Commissioner Johnson motioned to approve the purchase of a Generac Generator for \$7,000.00 for the Fire House to be paid from the Volunteer Fire Department line item. Commissioner Chavez seconded the motion, calling for a vote; all members answered “aye,” and the motion carried.

Contact the Permian Basin Regional Planning Commission 911 about receiving or purchasing another Siren for Terrell County – No Action.

Ordinance to Prohibit Sales or use of restricted fireworks in Terrell County on the Fourth of July. The fireworks period is June 24 - Midnight July 4th, 2024. – Commissioner Serna motioned to approve the Ordinance to Prohibit Sales or use of restricted fireworks in Terrell County on the Fourth of July, and the fireworks period is June 24 – Midnight July 4th, 2024. Commissioner Chavez seconded the motion, calling for a vote; all members answered “aye,” and the motion carried.

STATE OF TEXAS §
 §
 COUNTY OF TERRELL §

**ORDER PROHIBITING CERTAIN FIREWORKS
 IN UNINCORPORATED AREAS OF TERRELL COUNTY, TEXAS**

WHEREAS, the Commissioners Court of Terrell County has determined that the normal danger of fire in the unincorporated areas of Terrell County is greatly enhanced by the extremely dry conditions now existing;

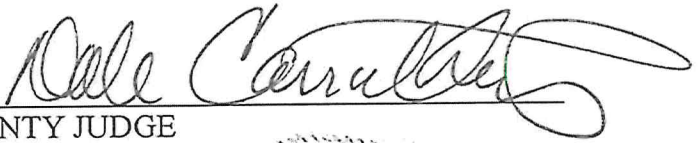
NOW, THEREFORE, the Commissioners Court of Terrell County adopts this Order prohibiting the sale and use of restricted fireworks in the unincorporated areas of Terrell County beginning June 24 -Midnight, July 4, 2024.

A. A person may not sell, detonate, ignite, or in any way use fireworks classified as “skyrockets with sticks” under 49 C.F.R. part. 173.100(r)(2) (10-01-86 edition) or missiles with fins in any portion of the unincorporated areas of Terrell County.

B. This order does not prohibit “permissible fireworks” as authorized in Occupations Code Section 2154.003(a).

C. A Person commits an offence if the person knowingly or intentionally violates a prohibition established by this order. An offense under this order is a Class C. Misdemeanor.

APPROVED this the 10th day of June 2024, by the Terrell County Commissioners Court.



COUNTY JUDGE

Attest: 

CLERK



Setting dates for the Budget Workshops FY 2024 – 2025 – Commissioner Serna motioned to set a date for the Budget Workshop FY 2024 – 2025 for July 8, 2024, immediately following the Regular Session of Commissioner’s Court. Commissioner Garza seconded the motion, calling for a vote; all members answered “aye,” and the motion carried.

Purchasing a for the deputy in the Tax-Assessor’s office – It has been resolved, No Action,

List of Bills, Ratify Bills, and Other Bills – Commissioner Johnson motioned to approve the list of bills, ratify bills, and other bills. Commissioner Garza seconded the motion, calling for a vote; Commissioner Serna answered “nay,” three members answered “aye,” and the motion carried.

RATIFIED BILLS	\$	78,465.49
SHERIFF’S DEPARTMENT	\$	56,593.09
ROAD & BRIDGE	\$	4,153.27
EMS	\$	3,515.27
COUNTY & DISTRICT CLERK	\$	189.00
COURTHOUSE BILLS	\$	3,741.84
TREASURER	\$	

Payroll and Utility bills not yet received - Commissioner Serna motioned to approve payroll and utility bills not yet received. Commissioner Johnson seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

Amendments and Transfers – Commissioner Serna motioned to approve the Amendments and Transfers in the budget. Commissioner Chavez seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

AMDENDMENTS AND TRANSFER FOR JUNE 2024

10-450-321 (JPs software) over 3,925

10-490-150 (EMS basic) over 5,617.76

10-490-170 (Senior Bus fuel) over 275.19

10-500-320 (Extension Phone) over 361.97

10-520-252 (Service Contracts) over 4,183.53

10-530-336 (Website/ emails) over 2,708.68

10-540-364 (Property insurance) over 5,810

10-540-365 (Workers Comp) over 2,967.50

10-540-370 (Postage) over 755.78

40-830-630 Attorney fees) over 3,173.10

60-860-700 (Airport Electricity) 500.82

If we can move these from 050-900-905 to 10-310-900 to the above line items.

Monthly Reports – Commissioner Serna motioned to approve the monthly reports. Commissioner Chavez seconded the motion calling for a vote; all members answered “aye,” and the motion carried.

Sheriff’s Department
Treasurer’s Investment Report and monthly report
Terrell County Treasurers's Office Report

None
May 2024

Accounts:

			Interest Earned
General Fund	\$266,307.91	50,000 donat	\$1,080.61
Outstanding checks not yet cashed	\$21,601.64		
Lonestar Investments	\$733,549		\$3,474.14
County CD	\$201,629		\$1,629.40
TexPool	\$6,429.05		\$4.05
total for all county General Fund money	\$1,186,314.00	total interest	\$4,558.80

Grants:

	Bills To be Paid	Money received
OLS	\$49,282.88	\$923,901.28
OPSG		\$40,894.40
LBSP		

Ratified:

Reliant	\$6,707.66	
Water	\$922.35	
Quarles	\$9,855.76	
CitiBank	\$1,097.41	
Verzion	\$13.92	
Big Bend Telephone	\$2,943.67	
W&W Trucking	\$18,017.00	
Lone Star Copiers	\$219.58	
Dial Tone	\$541.68	
Home Depot	\$2,271.54	\$20,881.83 IS THE REGULAR BILLS
Bills for May Court	\$110,421.71	\$40,257.00 TAC PROPERTY CONTRI
Total for bills and Ratifieds	\$153,012.28	\$49,282.88 OLS BILLS

Payroll for May

Both payrolls	\$161,098.16
Both IRS	\$52,425.31
TCDRS	\$17,390.96
Total for the month	\$230,914.43

SB 22

		Reimbursement to Coun
Sheriff's Department	\$174,496.56	\$75,503.44
Prosecution	\$100,000.00	
Total	\$274,496.56	

Animal Control	None
Justice of the Peace	May (JP 3&4)
County & District Clerk	None
EMS	None
Road & Bridge	None
Senior Citizens Transportation	May
AgriLife Extension	None
Museum & Historical Commission	None
Terrell County Library	None
Visitor Center	None
Sanitation	None
Clinic Report	May
Volunteer Fire Department	Ver 5,000 hoses & nozzles
Airport Report	May
Food Pantry	May

Adjourn - Commissioner Serna motioned to adjourn. Commissioner Johnson 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 REGULAR SESSION

The above and preceding minutes of the meeting held on June 10th, 2024, are now approved (as amended this _____ day of _____ 2023) as presented IN OPEN COURT this 8th day of July,

Dale Carruthers Presiding Officer

Attest: Raeline Thompson County Clerk

