

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON NOVEMBER 10, 2021 AT 9:00 A.M. THE COUNTY JUDGE TOM N. KEYES PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON	COMMISSIONER PRECINCT #1
CRAIG BELT	COMMISSIONER PRECINCT #2
DAVID MURPHREE	COMMISSIONER PRECINCT #3
<u>BIZ HOUSTON</u>	<u>COMMISSIONER PRECINCT #4</u>

TERRI BERRY

COUNTY CLERK

**Teleconference:**

In recognition of the public health emergency presented by the pending coronavirus-19 ("COVID-19") pandemic, and pursuant to an emergency order issued by the Governor of the State of Texas to temporarily suspend certain provisions of TOMA in view of said emergency, a quorum of the Commissioners Court will hold this meeting by telephonic conference call. **Members of the public may call in to this meeting by telephone by calling 1-346-248-7799 and entering the Meeting ID No. 938 956 816**

Members of the public who desire to make public comment during the meeting must register by e-mailing their identity to the following Gaines County ("County") representative one (1) hour before the meeting start time on the day of the posted meeting: Benette McDonald, Administrative Assistant, Commissioners Court at [benette.mcdonald@co.gaines.tx.us](mailto:benette.mcdonald@co.gaines.tx.us).

This meeting will be recorded, and the audio recording will be available on the County's internet website after the meeting. A copy of the agenda packet for the meeting will be available on the County's internet website at the time of the meeting at [www.co.gaines.tx.us](http://www.co.gaines.tx.us).

During this meeting, the Commissioners Court reserves the right to conduct an executive session/closed meeting session for any purpose authorized by Chapter 551 of the Texas Government Code or other authority, including without limitation sections 551.071 and 551.129, Texas Government Code (consultation with attorney).

**9:00 A.M. Regular Meeting**

1. Call to order, prayer, pledge

Judge Keyes called the meeting to order with a pray and the pledges of allegiance.

2. PUBLIC HEARING

Pursuant to Chapter 552 of the Texas Government Code, the public is hereby given notice that the Commissioners Court of Gaines County, Texas convened in regular session on the 10<sup>th</sup> day of November 2021, at 9:00 a.m. to receive public comment on redistricting of county election, justice of the peace and commissioners court precincts. After the public hearing, the Commissioners Court will take up for consideration and to take possible action regarding one or more alternative plans for the redistricting of County Commissioners Court precincts. The Court reserves the right to take any and all appropriate actions regarding the redistricting of Gaines County political boundaries, including the acceptance of new boundaries for the Commissioners Court precincts, modification of any boundaries, and/or tabling the pending proposals for later consideration and/or action.

De conformidad con el Capítulo 552 del Código de Gobierno de Texas, por la presente se notifica al público que el Tribunal de Comisionados del condado de Gaines del condado, Texas se reunirá en sesión especial el día 10<sup>th</sup> de Noviembre 2021, a las 9:00 a.m. para recibir comentarios del público sobre la redistribución de distritos elecciones del condado, juez de paz y precintos de la corte de comisionados. Después de la audiencia pública, el Tribunal de Comisionados tomará en consideración y tomará una posible acción con respecto a uno o más

planes alternativos para la redistribución de distritos de los precintos del Tribunal de Comisionados del Condado. El Tribunal se reserva el derecho de tomar todas y cada una de las acciones apropiadas con respecto a la redistribución de los límites políticos del Condado de Gaines, incluida la aceptación de nuevos límites para los precintos del Tribunal de Comisionados, la modificación de cualquier límite y / o la presentación de las propuestas pendientes para más adelante. consideración y / o acción.

None

3. Consider taking action to adopt new Commissioner Precinct and Justice of the Peace Precinct boundaries for Gaines County; take action as appropriate

Commissioner Murphree made a motion adopt the New Commissioner Precinct and Justice of the Peace Precinct boundaries for Gaines County as presented. Commissioner Rosson seconded the motion. Motion carried unanimously.

4. Public Comment on any of the listed agenda items

None

5. Discuss routine administrative items: take action needed;

- a. Last month's minutes
- b. Payroll
- c. Budget amendments and fund transfers
- d. Accounts payable
- e. Auditor's report
- f. Officer's report
- g. Renewal of routine annual service and similar agreement(s)
- h. Non-capital surplus or salvage

Commissioner Houston made a motion to approve the routine administrative items as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

6. Meet with Morgan Guffey concerning a Christmas Festival around the courthouse; take action as appropriate

This item was tabled until further information is received.

7. Meet with Tina Siemens to consider a proposal for the development of a Gaines County / Mennonite Heritage Center; take action as appropriate

Tina Siemens stated her presentation was to discuss and share her desire to create and have built a Mennonite Heritage Center in Gaines County. She stated this would be funded by hers. She gave examples of projects to be done at the Center such as: cooking, quilting, sewing etc. She stated she had not yet purchased land. The Commissioners discussed the possibility of donating land to her North of town and would discuss further with her regarding this. She also stated she would be having a life size Tee Pee built regarding the connection with Mennonite heritage and Comanche Indians.

8. Meet with the Gaines County Riding club to discuss potential improvements at the rodeo arena; take action as appropriate

The riding club stated they wanted to discuss possible ways to repair and update the rodeo grounds such as: new stands, bucking shoots, reinforcing the announcement booth and restrooms. Commissioner Houston stated he would assess the rodeo grounds and these issues and contact the proper people and get quotes on pricing for this items. Commissioner Houston stated that Commissioner Belt, Precinct 2, had given stands from various softball fields to him to be placed at the rodeo. Commissioner Houston stated he would be willing to go to the Riding Club meetings to address these issues.

9. Meet with County Treasurer Michael Lord to receive the Gaines County quarterly investment report; take action as appropriate

Michael Lord, Treasurer, presented the quarterly investment report with a balance of \$29,170.743.45. Michael stated he would be putting 1,000,000.00 in each banking facility where he currently has CD's. Commissioner Rosson made a motion to approve the quarterly investment report as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

10. Consider approving letter of engagement with Davis & Ray to conduct the outside audit for the county; take action as appropriate

Commissioner Houston made a motion to approve the letter of engagement with Davis, Ray & Company to conduct the outside audit for the county. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

11. Consider authorizing the Maintenance Department to use part of the insurance settlement to build a "car port" for various trailers and equipment in the Maintenance yard; take action as appropriate

Commissioner Houston made a motion to approve Seminole Home Improvements Bid in the amount of \$30,000.00 to construct a 24x80 carport for the Maintenance yard using part of the insurance settlement, with a provision that he will get insurance and be bonded. If he fails to do so then the bid will go to A-1 Sidings & Window for \$32,640.00. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

12. Consider authorizing the installation of a new fence and gate around the Precinct 2 yard, using funds from the recent insurance settlement; take action as appropriate

Commissioner Murphree made a motion to approve Premier Fencing Bid in the amount of \$22,680.00 to install of a new 950ft chain length fence and gate around the Precinct 2 yard using funds from the recent insurance settlement. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

13. Consider authorizing Precinct 4 to replace windows in shop, using funds from the recent insurance settlement; take action as appropriate

Commissioner Houston made a motion to approve Glass Ops LLC Bid in the amount of \$11,220.00 to replace and close in windows in the Precinct 4 shop using the funds from the recent insurance settlement. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

14. Consider authorizing replacement of roof, fascia and soffit at CRC building, using funds from the recent insurance settlement; take action as appropriate

Commissioner Houston made a motion to approve A-1 Sidings & Window Bid in the amount of \$13,735.00 to replace the roof, fascia and soffit at the CRC building using the funds from the recent insurance settlement. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

15. Consider authorizing replacement of fascia at the Higginbotham Community Building, using funds from the recent insurance settlement; take action as appropriate

Commissioner Houston made a motion to approve using Seminole Home Improvements Bid in the amount of \$5,250.00 to replace the fascia at the Higginbotham Community Building using the funds from the recent insurance settlement, with the provision he can get insurance and be bonded. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

16. Consider approving replacing air conditioning at Higginbotham Community Building; take action as appropriate

Commissioner Murphree made a motion to approve replacing the air conditioning units at the Higginbotham Community Building by J Tech Heating & Air in the amount of \$17,200.00 using the funds donated by Co-ops. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

17. Consider approving renewal contract on copiers with CMC Business Systems; take action as appropriate

Esmeralda Felan, Auditor, presented the copiers that are up for renewal within the county. Terri Berry, County Clerk and Michael Lord, Treasurer, stated they wanted a copier replaced in each of their offices. Commissioner Rosson made a motion to approve the renewal contract with CMC Business Systems and replacing the County Clerk and Treasurer's copiers. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

18. Consider if the County should participate in the TXDoT County Assistance Program, as defined under the rules of TAC Title 43, Part 1, Chapter 29, Subchapter A, Rule § 29.3; take action as appropriate

Commissioner Houston made a motion to authorize Judge Keyes to send a letter stating the county will participate in the TXDOT County Assistance Program. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

19. Consider casting vote for Board Members of the Gaines County Appraisal District board; take action as appropriate

Commissioner Rosson made a motion to divide the 1,416 votes from the county for the following Gaines County Appraisal District board members:

Blair Tharp-292, Bradley Palmer-292 and Daylon Sellers- 291, Ty Froman-291

Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

20. Consider going out with a Request for Proposal for Engineering plans and construction of a 320 foot tower located on the proposed site of an Emergency Operations Center, the proposal will include demolition of the existing radio tower; take action as appropriate

Commissioner Murphree made a motion to go out for proposals for engineering plans and construction of a 320 foot tower and demolition of the existing radio tower. Commissioner Houston seconded the motion. Motion carried unanimously.

21. Consider adopting a proposed Cooperative Agreement between Gaines County and Texas A&M AgriLife Extension Service, for the purpose of establishing a partnership between the county government representing the citizens of Texas residing in Gaines County and AgriLife Extension; take action as appropriate

Commissioner Houston made a motion to approve a Cooperative Agreement between Gaines County and Texas A&M AgriLife Extension Service as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

22. Meet with Terry Millican, AgriLife Extension Agent, to discuss and consider the potential appointment of a IPM Agent to Gaines County and begin the process of planning for that eventuality; take action as appropriate

Terri Millican, AgriLife Extension Agent, stated the need to hire a IPM (Integrated Pest Management) agent for Gaines County. He stated this position will be 100% funded with Federal Funds except for office space. There was much discussion regarding building a new facility for the AgriLife department or temporary building for the agent.

Commissioners court stated this item will be addressed once a IMP agent has been hired.

23. Consider a request to adjust security policies to allow Courthouse employees to have access to any door for entering the facility; take action as appropriate

Commissioner Houston made a motion to amend the security policy to allow all Courthouse employees to have access to any door entering into the facility with their fob and the back door into the AgriLife department to be unlocked at certain times as needed. Commissioner Rosson seconded the motion. Motion carried unanimously.

24. Consider changing the date of the next scheduled Commissioners Court meeting to accommodate the Thanksgiving Holiday; take action as appropriate

Commissioner Houston made a motion to change the date of the regular scheduled Commissioner Court meeting from November 24<sup>th</sup> to Monday November 22<sup>nd</sup> due to the Thanksgiving holiday. Commissioner Rosson seconded the motion. Motion carried unanimously.

25. Consider placing ads in the Seminole Sentinel for the Chamber Banquet and/or Thanksgiving; take action as appropriate

Commissioner Rosson made a motion to approve placing ads in the Seminole Sentinel for the Chamber Banquet and Thanksgiving addition of the newspaper. Commissioner Murphree seconded the motion. Motion carried unanimously.

26. Consider canvassing the votes from the November 2, 2021 election; take action as appropriate

Commissioner Rosson made a motion to approve the canvassing of votes from the November 2, 2021 election as presented by Patricia Roberson, Election Administrator. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

27. Consider authorizing the transfer of two small freezers from the Sheriff's Office to the AgriLife Extension office; take action as appropriate

Commissioner Rosson made a motion to authorize the transfer of 2 small freezers from the Sheriff's Office to the AgriLife Extension office. Commissioner Houston seconded the motion. Motion carried unanimously.

28. Discuss issues related to roof work at the courthouse; take action as appropriate

Judge Keyes stated to close the bids published recently on the roof repair and after receiving specs on the roof repair we would then republish bids for the courthouse roof repair.

29. Consider approving subdivision application(s), take note of known subdivision exceptions, consider any requests for subdivision variances; take action as appropriate,

None

30. Consider current road crossing request(s); take action as appropriate,

None

31. EXECUTIVE SESSION: closed session as authorized by Chapter 551 of the Texas Government Code, specifically sections 551.071 and 551.129, consultation with the County Attorney to discuss an issue concerning personnel and excess equipment; no action may be taken in Executive Session

Commissioners, Judge Keyes, County Attorney and the Sheriff went into executive session at 11:10a.m.

32. OPEN SESSION: Consider action to resolve an issue concerning personnel and excess equipment; take action as appropriate

Open session resumed at 11:20a.m. Commissioner Rosson made a motion to sell the gun to retired Deputy Sheriff, Shane Scott at fair market value that was used by himself in an incident for self protection. Commissioner Murphree seconded the motion. Motion carried unanimously.

33. Discuss any other items pertaining to County Business; for information purposes only, no action may be taken on these items except to schedule them for a future agenda,

Commissioner Houston, Precinct 4 stated to add the use of the insurance money to be used to repair garage doors on the next agenda.

Commissioner Murphree, Precinct 2 stated to add replacing the fencing on the next agenda.

Commissioner Houston asked if there was going to be a County wide Christmas Party. Judge Keyes stated there would not be enough time to prepare for one at this late date

Benette McDonald presented the stats from the recent 4-H cooking challenge competition

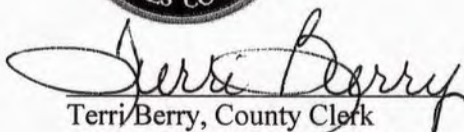
34. Adjourn;

Commissioner Rosson made a motion to adjourn the meeting. Commissioner Houston seconded the motion. Motion carried unanimously.

The meeting adjourned at 11:30a.m.

I, Terri Berry, Gaines County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for November 10, 2021.





Terri Berry, County Clerk  
Clerk of Commissioner's Court  
Gaines County, Texas



STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON November 22, 2021 AT 9:00 A.M. THE COUNTY JUDGE TOM N. KEYES PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON	COMMISSIONER PRECINCT #1
CRAIG BELT	COMMISSIONER PRECINCT #2
DAVID MURPHREE	COMMISSIONER PRECINCT #3
<u>BIZ HOUSTON</u>	<u>COMMISSIONER PRECINCT #4</u>

<u>TERRI BERRY</u>	<u>COUNTY CLERK</u>
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During this meeting, the Commissioners Court reserves the right to conduct an executive session/closed meeting session for any purpose authorized by Chapter 551 of the Texas Government Code or other authority, including without limitation sections 551.071 and 551.129, Texas Government Code (consultation with attorney).

**9:00 A.M. Regular Meeting**

1. Call to order, prayer, pledge

The Judge called the meeting to order with a prayer and pledges of allegiance.

2. Public Comment

None

3. Discuss routine administrative items: take action needed;

- a. Last month's minutes
- b. Payroll
- c. Budget amendments and fund transfers
- d. Accounts payable
- e. Auditor's report
- f. Officer's report
- g. Renewal of routine annual service and similar agreement(s)
- h. Non-capital surplus or salvage

Commissioner Belt made a motion to approve the routine administrative items as presented. Commissioner Houston seconded the motion. Motion carried unanimously.

4. Meet with Morgan Guffey, of Mo & Mule Productions, to consider providing support for the planned Christmas Festival; take action as appropriate

Morgan Guffey, Mo & Mule Productions stated she needed assistance with the Porta Potties, Santa and Grinch character photos, hay ride and carriage rides. Commissioner Belt made a motion approving the use of the Courthouse squire and providing porta potties for the Christmas Festival. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

5. Consider approving declaring salvage for the sheriff's office; take action as appropriate

Ronnie Pipkin, Sheriff, stated he had 9 chairs, computer and monitor, 6 TV's, VCR & 2 water coolers to declare as salvage. Commissioner Houston made a motion to approve the items presented as salvage by the Sheriff. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

6. Consider a request from the Sheriff to authorize the use of non-exempt tags and plates for one of the SO vehicles; take action as appropriate

Commissioner Belt made a motion to authorize the use of non-exempt tags and plated for unit #S120 for the Sherriff's department. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

7. Discuss emergency signage at the Gaines County Community Center; take action as appropriate

Commissioner Houston made a motion to change the signage at the Gaines County Community Center by replacing the contact phone number to the Sheriff's office at 432-758-9871. Commissioner Belt seconded the motion. Motion carried unanimously.

8. Consider approving transfer of airport hangar building described as Building J, Hangar 1, from Henry Neufeld to Walter Dominguez; take action as appropriate

Commissioner Houston made a motion to transfer a metal air plane hanger, Building J-Hanger 1 from Henry Neufeld to Walter Dominguez. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

9. Consider approving estimates for the following projects for Precinct 4; to replace entry doors and garage doors for the shop, replace air conditioner with mini splits; take action as appropriate

Commissioner Houston, Precinct 4, made a motion to approve JNL Steel Components, Inc to replace the front and back doors in the amount of \$1,597.24, Triple P Overhead Door LLC replace 3 steel doors in the amount of \$12,888.45 and J Tech Heating & Air to install 2 mini split units in the amount of \$4,800.00 and pay these amounts from the insurance settlement fund. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

10. Consider authorizing Wayne Gondeck to develop tentative plans for a stand-alone Emergency Operations Center for the purpose of determining potential costs for the facility; take action as appropriate

Commissioner Belt made a motion authorizing Judge Keyes to have Wayne Gondeck develop tentative plans for a stand alone Emergency Operations Center and the potential cost for the facility. Commissioner Houston seconded the motion. Motion carried unanimously.

11. Consider turning off the gas to the Pro Shop and the Superintendent's house and replace gas powered utilites with electric as needed; take action as appropriate

Commissioner Belt made a motion to approve turning off the gas to the Pro Shop and Superintendent's house and have J Tech Heating & Air replace gas powered utilities with electric in the amount of \$3,500.00. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

12. Consider approving subdivision application(s), take note of known subdivision exceptions, consider any requests for subdivision variances; take action as appropriate;

None

13. Consider approving road crossing request(s);

Commissioner Belt made a motion to approve 2 road crossings from Joint Resources Company on CR 202 & CR 208 in Precinct 2 as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

14. Discuss any other items pertaining to County Business; for information purposes only, no action may be taken on these items except to schedule them for a future agenda,

None


15. Adjourn;

Commissioner Belt made a motion to adjourn the meeting. Commissioner Houston seconded the motion. Motion carried unanimously.

The meeting adjourned at 9:34a.m.

I, Terri Berry, Gaines County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for November 22 , 2021.



  
Terri Berry, County Clerk  
Clerk of Commissioner's Court  
Gaines County, Texas

