

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON AUGUST 4 , 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>
--------------------	---------------------

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.

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.

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 prayer and pledges of allegiance.
2. Public Comment concerning items on the agenda
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. Annual renewals of service and other contracts

Commissioner Belt made a motion to approve the 1 year renewal contract for 3 buildings with TRANE for \$10,464.00. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

Commissioner Rosson made a motion to approve the Interlocal agreement with PBRPC 911 service. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

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

4. Consider approving tournament requests; take action as appropriate

Commissioner Rosson made a motion to approve the tournament request as presented. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

5. Meet with Chamber of Commerce President Shelby Concotelli to discuss Ag/Oil day; take action as appropriate

Shelby Concotelli, Chamber of Commerce, stated the Ag Oil Day would be held September 16th and she was wanting to have the lunch indoors but did not have adequate staff to help in preparing the food. She requested help from the Precincts and she stated she would provide all food & supplies. All Commissioners stated they would have employees help and provide pits to help prepare the hamburgers. She asked if the county would be mandating mask before this time. Judge Keyes stated we are following guidelines and would not be mandating masks however, he stated he would suggest in crowded places they be worn.

6. Meet with Chamber of Commerce President Shelby Concotelli to discuss Great Come Back Reunion; take action as appropriate

Shelby Concotelli, Chamber of Commerce, stated the Great Come Back Reunion would be held September 24th & 25th. She has made arrangements for buildings but asked if the county was mandating masks. Judge Keyes stated we are following guidelines and would not be mandating masks however, he stated he would suggest in crowded places they be worn.

7. Discuss and determine the best option for the acquisition of patrol vehicles for the Sheriff's Department, due to delays in delivery of ordered Ford units; take action as appropriate

Commissioner Belt made a motion to approved the purchase of 2021 Tahoe's for the Sheriff's Department and Esmeralda Felan, Auditor, to void the PO# 7339 in the amount of \$174,600.00 for the Ford vehicles previously approved and issue a new PO# for the 2021 Tahoe's in the amount of \$197,523.00 at Tips USA in Houston, Texas. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

8. Consider renewing the Interlocal Agreement with the Lubbock Branch of the Regional Public Defender for Capital Cases Office; take action as appropriate

Commissioner Rosson made a motion to approve the Interlocal Agreement with the Lubbock Branch of the Regional Public Defender for Capital Cases in the amount for \$15,629.00 Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

9. Consider renewing the Subscription for services with OnSolve for CodeRed services and authorize the County Judge to sign the contract online; take action as appropriate

Commissioner Rosson made a motion to approve the renewal subscription with OnSolve in the amount of \$11,500.00 and authorize Judge Keyes to sign the contract online. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

10. Based on the successful pilot project at the County Jail, consider a proposal from Trane to insert either ionization units and/or UV units in all county air handling units to "scrub" the air circulating in County facilities of pathogens such as coronavirus and influenza; take action as appropriate

Commissioner Belt made a motion to approve the estimated proposal from TRANE in the amount of \$93,339.00 to insert ionization units and/or UV units in all county air handling units. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

11. Consider accepting the County Clerks records archive fee; take action as appropriate

Terri Berry, County Clerk, presented the Records Preservation and Archive plan stating she is in discussions with Data Preservation Services regarding scanning and indexing of records. She stated she would be purchasing a 32 metal shelf cabinet for Grantor/Grantee books. Commissioner Belt made a motion to approve the County Clerks Records Preservation and Archive plan as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

12. Discuss and consider participating in proposed advertising opportunities in the Seminole Sentinel for the Autumn season; take action as appropriate

Following discussion no action will be taken.

13. Consider taking appropriate actions to reduce the speed limit on CR 304 from SH181 to CR 307 from 60 mph to 45 mph; take action as appropriate

Commissioner Murphree made a motion to approve reducing the speed limit on CR 304 from SH181 to CR 307 from 60 to 45 pending any legal requirements upon authorizing this process. Commissioner Belt seconded the motion. Motion carried unanimously.

14. Consider approving the application for Unclaimed Property Capital Credits for Counties from the Texas Comptroller of Public Accounts; take action as appropriate

Commissioner Rosson made a motion to approve the application for Unclaimed Property Capital Credits from the Texas Comptroller of Public Accounts as presented. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

15. Meet with Mr. Michael Lord to consider the updated County Investment Authority and Policy; take action as appropriate

Commissioner Rosson made a motion to approve the current County Investment Authority and Policy with no changes as presented by Michael Lord, Treasurer. Commissioner Belt seconded the motion. Motion carried unanimously.

16. Consider approving the quarterly investment report; take action as appropriate

Commissioner Rosson made a motion to approve the quarterly investment report for the 3rd quarter as presented by Michael Lord, Treasurer. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

17. Consider approving public notice concerning Indigent Health Care Program; take action as appropriate

Commissioner Murphree made a motion to approve the yearly public notice concerning the Indigent Health Care Program as presented by Benette McDonald, Administrative Assistant, Commissioners Court. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

18. Consider approving renewal of the annual contract with West Texas Centers for the provision of mental health and intellectual and developmental disability services for Gaines County; take action as appropriate

This item was tabled

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

Commissioner Murphree made a motion to approve 2 variances in Precinct 3 on 447 & 448 CR 304 for the property owner, Neil Letkeman. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

Commissioner Murphree made a motion to approve a road crossing in Precinct 3 on CR 326 for McClure Oil Company, Inc. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

21. 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,

Michael Lord, Treasurer, stated the 80 hour COVID paid leave policy put into effect in February 2021 will expire December 2021. He stated he just recently received a positive COVID test on one employee that will be using the time allotted.

Commissioner Belt stated Terry Millican, Ag/Extension Director, would be using the County pickup for a conference to be held in Ruidoso, NM.

Commissioner Murphree stated the final design drawing for the fence at the airport was available for viewing.

22. Budget workshop – the following item(s) provide a framework for discussions, but should not be considered to limit discussions on other budget issues that may arise

- a. Consider policy changes or adjustments to be included in the final Budget book

Esmeralda Felan, Auditor, stated she had received all totals and the county is below no new revenue for the budget 2021-2022 and she would present the tax rate at the next court and post a public hearing. She presented the part time positions and rates for review.

Commissioner Murphree made a motion to approve the renewal of the Road & Bridge fee of \$10 upon vehicle registration. Commissioner Belt seconded the motion. Motion carried unanimously.

23. Adjourn;

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

Meeting adjourned at 10:45a.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 August 4, 2021.



Terri Berry

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



NOTICE TO THE PUBLIC

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A SPECIAL PUBLIC HEARING COUNTY WIDE EQUALIZATION AND ROPOSED BUDGET FOR FY 2022 ON AUGUST 18, 2021 AT 8:00 A.M. THE COUNTY JUDGE TOM N. KEYES (ABSENT) AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON (ATTENDED PER ZOOM)	COMMISSIONER PRECINCT #1
CRAIG BELT (ATTENDED PER ZOOM)	COMMISSIONER PRECINCT #2
DAVID MURPHREE	COMMISSIONER PRECINCT #3
BIZ HOUSTON	COMMISSIONER PRECINCT #4

TERRI BERRY	COUNTY CLERK
-------------	--------------

1. Conduct a public hearing on the FY 2022 proposed budget for the County-Wide Equalization (CWE) tax
Commissioner Belt, Judge Pro Tem, called the meeting to order stating the budget will raise less revenue from property taxes than last year's budget. (see attached)
2. Consider adopting the FY 2022 CWE budget; take action as appropriate
Commissioner Belt, Judge Pro Tem, voted Yea to adopt the FY 2022 Budget as presented by the Auditor in all Budget Workshops.
3. Discuss the proposed tax rate to fund the Tax Year 2021/FY 2022 County Wide Equalization Tax; take action as appropriate
No one from the public was in attendance for discussion
4. Adjourn;
Commissioner Belt, Judge Pro Tem adjourned the meeting at 8:12a.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 August 18, 2021.



A handwritten signature in cursive script that reads "Terri Berry".

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 AUGUST 18, 2021 AT 9:00 A.M. THE COUNTY JUDGE TOM N. KEYES (PER ZOOM) PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON (PER ZOOM)
CRAIG BELT (PER ZOOM)
DAVID MURPHREE
BIZ HOUSTON

COMMISSIONER PRECINCT #1
COMMISSIONER PRECINCT #2
COMMISSIONER PRECINCT #3
COMMISSIONER PRECINCT #4

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.

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.

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 prayer and pledges of allegiance.
2. Conduct a public hearing to consider the proposed elected official salary increase; take action as appropriate
Commissioner Murphree made a motion to approved the elected official salary increase as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)
3. Consider any changes or adjustments to employment policies, employee manual changes, and set the amount of compensation, office and travel expenses and all other allowances for county and precinct officers and employees; take action as appropriate
Commissioner Houston made a motion to approve the employment policies, employee manual, amount of compensation, office and travel expenses and other allowances for county and precinct officers and employees as presented by Nadine Gonzales, Auditor 1st Assistant. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)
4. Conduct a public hearing to consider adopting the FY 2022 proposed budget; take action as appropriate

Following much discussion and no public in attendance the FY 2022 will be adopted in item #6.

5. Discuss the proposed tax rates to fund the Tax Year 2021/FY 2022 General and FC/LR budgets; take action as appropriate

Judge Keyes stated the Proposed Tax Rate is \$.605924, No –New-Revenue Tax Rate \$.622068 and Voter-Approval Tax Rate \$.634870 (per \$100). ALL Commissioners voted (FOR) to approve the proposed tax rate.

6. Adopt the FY 2022 budget; take action as appropriate

Commissioner Houston made a motion to adopt the FY 2022 budget. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached) Judge Keyes stated a Special Meeting August 27, 2021 will be held to adopt the General and County Wide Tax Rate.

7. Public Comment concerning items on the agenda

None

8. 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

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

9. Consider approving any tournament request(s) for the Golf Course; take action as appropriate

This item was tabled

10. Consider approving election judges; take action as appropriate

Commissioner Murphree made a motion to approve election judges as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

11. Consider approving a purchase of a tractor for Prec. 2; take action as appropriate

Commissioner Belt stated at this time he would not be purchasing a tractor for Precinct 2.

12. Consider changing vendor to provide monitoring services on fire alarms systems from ABCO to Impact Fire; take action as appropriate

Nick Castillo, Director Maintenance, stated he has had issues with the service from ABCO regarding the fire alarms. Commissioner Belt made a motion to approve changing the vendor for monitoring the fire alarms to Impact Fire and authorizing Judge Keyes to prepare and send a letter to ABCO regarding the cancellation of their service. Commissioner Murphree seconded the motion. Motion carried unanimously.

13. Consider approving transfer of equipment from Maintenance Dept. to Precinct. 3; take action as appropriate

Commissioner Murphree made a motion to approve the transfer of a 2013 Chevy Silverado Unit #B-66 from the Maintenance Dept. to Precinct 3. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

14. Consider going out for bids for FY 2022 contracts for road building / repair materials, including but not necessarily limited to sand, gravel, caliche, rock (all sizes), and asphalt (all types and grades), as well as prices for hauling said materials to storage locations in the County, set a date of September 15, 2021 for opening bids; take action as appropriate

Commissioner Houston made a motion to go out for FY 2022 contracts for road building/repair materials, including but not limited to sand, gravel, caliche, rock(all sizes), and asphalt (all types and grades), as well as prices for hauling to storage locations in the County. All bids are to be turned in by September 14, 2021 and opened September 15, 2021. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

15. Consider maintaining the current fees for service for the Sheriff's and Constable's offices, (e.g. notices and service fees), in accordance with LGC 118.131; take action as appropriate

Commissioner Houston approved to maintain the current fees for service for the Sheriff's and Constable's offices and Terri Berry, County Clerk to report no changes to the state. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

16. Open bids for construction of public bathrooms at Gaines County Park, consider accepting the best bid; take action as appropriate

Benette McDonald, Commissioners Administrative Assistant, stated 2 bids had been received, Goodman General Milwork Construction & Design in the amount of \$54,000.00 and Fehrs in the amount of \$124,129.14. Commissioner Murphree made a motion to approve the bid from Goodman General Milwork Construction & Design to do the construction of the public bathrooms at the Gaines County Park. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

17. Consider approving renewal of a contract for juvenile residential services; take action as appropriate

Commissioner Houston made a motion to approve the renewal of the following juvenile residential service contracts: Lubbock County Juvenile Justice Center, Garza County Cornerstone and Gulf Coast Trades Center. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

18. Discussion and potential action regarding all issues deemed necessary or desired at this time by the Commissioners Court for the County response to the pending COVID-19 emergency, including:

- a. consider amending and approving a declaration of a disaster, as authorized by law, due to a public health emergency;
- b. consider amending and approving policies and operating procedures for controlling public access (including the limitation of public access) to the Gaines County Courthouse and all other buildings, structures, offices, or properties owned, leased, or operated by the County;
- c. consider amending and approving policies and operating procedures (including public health protocols) for the protection of the public, County employees, and County officials;
- d. consider amending and approving policies and operating procedures for protecting County infrastructure (including public health measures and procedures designed to clean and make safer properties, buildings, structures, business offices and work spaces);
- e. consider amending and approving policies and operating procedures for the provision of on-going essential or desired services of the County and other public offices and agencies, including without limitation the continued work and functioning of the (i) Commissioners Court, (ii) the County's local court, financial, tax, and administrative systems, including without limitation the District Court, County Court, Justice of the Peace Courts District Attorney, County Attorney, District Clerk, County Clerk, County Sheriff's Department and County Jail, Texas Department of Public Safety, County Treasurer, County Tax Assessor-Collector, County Auditor, Adult and Juvenile Probation Departments, Veterans Services Officer, County library system, County museums, (iii) the County public road system and airport, and (iv) the County emergency management system, including fire, ambulance, and local law enforcement service and coordination; and
- f. consider amending and approving employment policies and procedures for the County's employees and officials.

Commissioner Houston made a motion to approve the Disaster Declaration #26 and Order #21-0818-01 as presented with no changes. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

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

Commissioner Houston made a motion to approve a subdivision variance for Peter Froese to place a septic system on a lot less than 1 acre in Steinreich Sub in Precinct 4. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

20. Consider approving road crossing request(s); take action as appropriate

None

21. 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

22. Adjourn;

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

Meeting Adjourned at 9:57a.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 August 18, 2021.



A handwritten signature in cursive script that reads "Terri Berry".

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

