

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON DECEMBER 7, 2022 AT 9:00 A.M. THE COUNTY JUDGE TOM N. KEYES PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON  
CRAIG BELT  
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](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 together with a prayer and pledges of allegiance.

2. Public Comment – comments should be related to agenda items, otherwise the members of the Commissioners Court will not be able to take any action but to schedule for a future meeting

None

3. Discuss routine administrative items: take action as appropriate;

- a. Payroll
- b. Budget amendments and fund transfers
- c. Accounts payable
- d. Auditor's report
- e. Officer's report
- f. Surplus equipment (non-capitol)
- g. Annual renewals of service and other contracts

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

4. Consider approving placing an ad in the Christmas Greeting section of the newspaper; take action as appropriate

Commissioner Rosson made a motion to approve placing an ad in the Christmas Greeting section of the newspaper. Commissioner Murphree seconded the motion. Motion carried unanimously.

5. Consider approving a new contract for residential services for the Juvenile Probation Department, services to be provided are residential substance abuse treatment, the service agency is located in Shoreline, Inc. in Taft, TX; take action as appropriate

Commissioner Murphree made a motion to approve the juvenile contract with Shoreline, Inc. as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

6. Meet with the County Attorney, a representative of the Public Health Department, Ms. Olivia Flores and Ms. Aidee Villa concerning a public health complaint and follow up inspection at their residence identified as BLK G SEC 127 WTRR CO TOWN & COUNTRY ESTATES W/2 W/2TR 82 to determine why the owners of the location have not been able to clean up the excess trash and garbage stored in plastic bags stacked behind the mobile home in a timely manner; take action as appropriate

This item was tabled until the individuals have been served.

7. Meet with the Superintendent of the Gaines County Golf Course, Scott Nichols, to discuss two requests for funding, 1) revision of the pump station to support the golf course and the park, 2) purchase of a new aerator to replace the current unit that is over 20 years old and has been rebuilt 3 times; take action as appropriate

This item was tabled until Scott Nichols is present to address these issues.

8. Meet with Wayne Gondeck to discuss the status on the plans, and possible actions for the new Emergency Operations Center and the 4H Facility; take action as appropriate on each project

Wayne Gondeck, DRG Architects, stated with the holiday approaching he requested moving the date required to get a proposal for the EOC project turned in the 2<sup>nd</sup> week in January. He stated he would prepare an advertisement to be placed in the newspaper for competitive sealed proposals & set Bid received date. Commissioner Murphree made a motion to approve Wayne Gondeck to proceed with the EOC project and moving the proposal due date to the 2<sup>nd</sup> week in January. Commissioner Houston seconded the motion. Motion carried unanimously.(see attached)

9. Meet with Seminole City Manager, Adam Niolet to discuss the possibility of using Gaines County ROW in Precinct 3 to bring a freshwater pipeline from the west side of the county to the water treatment plant in the City of Seminole, in accordance with an interlocal agreement between Gaines County and Seminole, dated January 2008; take action as appropriate

Adam Niolet, City Manager stated the ground water storage was very low at this time. He stated the need to use the Gaines County ROW in Precinct 3 to bring freshwater pipeline from the west side of the county to the water treatment plant referring to an Interlocal Agreement dated January 14, 2008. Colden Rich, Project Manager for EHT Engineering stated he was working with the city in implementing the waterline within guidelines using vent pipe, bores and all being encased, etc. Commissioner Murphree made a motion to authorize moving forward with the City of Seminole to use the ROW in Precinct 3 for a freshwater pipeline along with Colden Rich, Project Manager, EHT Engineering who will be in contact with Commissioner Murphree for any updates with procedures. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

10. Meet with Colden Rich, Project Manager for eHT Engineering for discussion of proposed engineering services relative to Subdivision Regulations and other miscellaneous requirements; take action as appropriate

Colden Rich, Project Manager, EHT Engineering, stated he is willing to work with the legal firm we now have in place in order to set up proper guidelines. He stated the process going forward would be for the individual to pay the county the funds required to process the subdivision and in turn the county would pay the invoice from EHT Engineering. Terri Berry, County Clerk, stated she wanted the fee to file subdivisions once approved in commissioners court to be paid directly to her office and not be included in the above amount. Colton stated there is 30 days to review the subdivision once the money is paid to the county. Esmeralda Felan, Auditor, stated she needed commissioners approval to create a line item for funds coming in and line item for funds out of the account. Commissioner Belt made a motion to approve moving forward with EHT Engineering for services relative to the Subdivision Regulations and authorizing the auditor's office to create line items for funds coming in and going out for this item. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

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

None

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

None

13. 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,

Esmeralda Felan, Auditor stated she had met with each department head and had them compile a "wish" list of items they needed/ wanted in their office, such as, things that were not in their budget items at any time but needed at this time. She stated the funds from ARP were available and this is the time to utilize these funds as the money has to be used by 2024 or it would have to be returned. She also updated the court on the Dept Book software for her office.

Commissioner Houston stated utilizing the ARP money as stated above was a good idea however he also stated with all the updates to all other county buildings he felt a need to rebuild the Pro Shop at the golf course also. He also stated the possibility of using the empty buildings across from the courthouse as office space.

Commissioner Murphree stated he had estimated the cost to redo all cart paths at the golf course would be approximately \$450,000.00.

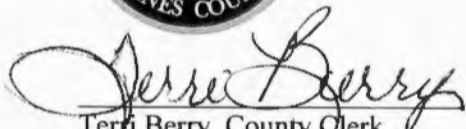
14. Adjourn;

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

The meeting adjourned at 10:40 a.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 December 7, 2022.



  
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 DECEMBER 21 , 2022 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
BIZ HOUSTON	COMMISSIONER PRECINCT #4

<u>TERRI BERRY</u>	<u>COUNTY CLERK</u>
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**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**

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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  
Judge Keyes called the meeting to order with a prayer and pledges of allegiance.
2. Public Comment – should be related to a listed agenda item if the Court is to be able to respond to the issue in any way other than scheduling for the agenda of a future meeting  
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

3g) Commissioner Belt made a motion to approve the following renewal contracts:  
CSI – \$658.00  
Noregon Systems LLC - \$1,999.00  
OverDrive Inc. - \$3,000.00

Computacenter - \$5,275.14. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

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

4. Meet with the County Attorney, a representative of the Public Health Department, Ms. Olivia Flores and Ms. Aidee Villa concerning a public health complaint and follow up inspection at their residence identified as BLK G SEC 127 WTRR CO TOWN & COUNTRY ESTATES W/2 W/2TR 82 to determine why the owners of the location have not been able to clean up the excess trash and garbage stored in plastic bags stacked behind the mobile home in a timely manner; take action as appropriate

This item was tabled until January 18<sup>th</sup>, 2023 as Aidee Villa subpoena has been served with a court appearance date as of January 18.

5. Meet with the Superintendent of the Gaines County Golf Course, Scott Nichols, to discuss two requests for funding, 1) revision of the pump station to support the golf course and the park, 2) purchase of a new aerator to replace the current unit that is over 20 years old and has been rebuilt 3 times; take action as appropriate

Commissioner Belt made a motion to authorize Scott Nichols, Superintendent Golf Course, to purchase pumps & computer system for the pump station at the golf course and park from Pump Mechanical Technical Services LLC in the amount of \$45,816.00 and pay this out of the ARPA funds. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

Commissioner Belt made a motion to authorize Scott Nichols, Superintendent Golf Course to purchase a new aerator from John Deere in the amount of \$56,950 and pay this out of the ARPA funds. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

6. Consider approving transfer of equipment from Sherriff's Office to Gaines County Emergency Management; take action as appropriate

Commissioner Belt made a motion to approve the transfer of Unit S-99, 2015 Chevrolet Tahoe from the Sheriff's Department to Gaines County Emergency Management. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

7. Consider accepting donation from Oxy for the Sherriff's office; take action as appropriate

Commissioner Rosson made a motion to approve a donation from Oxy in the amount of \$10,000.00 to the Sheriff's Department with the funds being placed in the Sheriff's Donation line. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

8. Consider if the Commissioners Court wants to sell a parcel of land in Precinct 4, alongside FM 1788, to a group of individuals who are looking for a hunting site for prairie dogs; take action as appropriate

Following discussion this item was declined as to the sale of the parcel of land in Precinct 4.

9. Consider casting votes for TCDRS Board of Directors; take action as appropriate

Commissioner Houston made a motion to approve the nomination of Margie Gonzales, Cindy Irwin, Loretta Key, Matthew Weingardt & Donna Willis to the TCDRS Board of Directors. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

10. Consider approving Rules of Procedure, Conduct and Decorum for Meetings of the Gaines County Commissioners Court, and consider appointing Judge Pro tem for the upcoming calendar year; take action as appropriate

Commissioner Belt made a motion to approve the Rules of Procedure, Conduct and Decorum for Meetings of the Gaines County Commissioners Court with the amendment of public comments from Wednesday to Friday. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

Commissioner Belt made a motion to appoint Commissioner Houston as Judge Pro tem for the upcoming calendar year. Commissioner Rosson seconded the motion. Motion carried unanimously.

11. Discuss the use of available ARPA funding and the possible fulfillment of the departmental wish list that was presented to the Commissioners Court on December 7, 2022; take action as appropriate

Commissioner Belt made a motion to table this item until further research is done by commissioners and to place this on the January 18, 2023 agenda. Commissioner Rosson 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;

No new subdivision. Judge Keyes stated Colton Rich, Engineer, stated he is almost through finalizing changes and will present to court.

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

None

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,

Benette McDonald stated she had received a donation from the Riding Club to the Sr. Citizens in the amount of \$1,500.00. Michael Lord, Treasurer stated he deposits donations and disburses the funds to them as needed for items as well as logging all transactions. Judge Keyes stated these transactions would need to be reported to commissioners court quarterly by the Treasurer.

Commissioner Houston presented plaques to retirees Judge Keyes and Commissioner Belt from the Commissioners Court in honor of their dedicated service and employment to Gaines County.

Esmeralda Felan, Auditor, stated Moore Haralson had called stating that the insurance policies for the county would be increasing with renewals.

Commissioner Belt asked if everyone could talk to their churches regarding the Sr Citizens meals on wheels as more volunteers are needed to deliver food.

Terri Millican, Ag/Extension office, stated the stock show dates would be January 16<sup>th</sup> -21<sup>st</sup> and there is an increase in new entries and kids. He stated with the new pens installed this will be very beneficial this year. He stated the Sandy Land Conference will be held February 22, 2023.

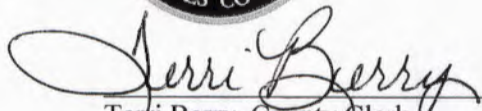
15. Adjourn; Feliz Navidad!

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

The meeting adjourned at 10:04a.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 December 21, 2022.



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

