

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON MAY 11, 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.

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, and pledges of allegiance.
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 not on the agenda the Court will be unable to respond to the issue in any way other than scheduling for the agenda of a future meeting
Mr. Giner requested to use all baseball fields for non profit league games. Judge Keyes stated this would be included on the next agenda for discussion.
3. Discuss routine administrative items: take action as 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. Surplus/Salvage equipment (non-capitol)

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

4. Consider approving canvass of May 7 election; take action as appropriate

Commissioner Belt made a motion to approve the canvass of the May 7th Constitutional election as presented by Patricia Roberson, Election Administrator. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

5. Meet with Resound to receive a presentation of the services they provide; take action as appropriate

Tyson Curtis, CEO, Resound gave a presentation and overview of current and future services provided. No action taken (see attached)

6. Consider approving tournament requests for the golf course; take action as appropriate

No action taken. Shaun McDonald, Golf Pro, stated the tournament originally scheduled was cancelled.

7. Meet with Golf Course Superintendent Scott Nichols and Golf Professional Shaun McDonald to discuss cart path policy; take action as appropriate

Scott Nichols, Golf Course Superintendent and Shaun McDonald, Golf Pro stated with the current drought in Gaines county the greens at the golf course are being damaged and requested a mandatory cart path only policy. Commissioner Belt made a motion to approve a mandatory cart path only policy at the Golf Course with this item being reevaluated at each commissioners court meeting. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

8. Meet with Seminole City Manager, Adam Niolet to consider and discuss a proposed interlocal agreement to allow the county IT Department to assist the City of Seminole; take action as appropriate

Adam Niolet, City Manager, requested the assistance from Gaines County IT department. He stated it would be approximately 7-10 hours a month needed to reset passwords, create profiles, etc. Following much discussion with Adam, Niolet, City Manager, this item was tabled for further negotiations as to prepare an Interlocal agreement.

9. Discuss and consider the repurposing of Indio Field to provide 2-3 youth practice fields, consider a possible partnership with Seminole EDC to work on the project; take action as appropriate

Commissioner Houston stated all items such as, the fencing, netting and fields could all be built and completed by Precinct 4 employees and would be less of a cost for the county. He stated he would get certain supplies needed from JNL steel. He stated the field would be ready for use by March 2023. Commissioner Houston made a motion to move forward to repurpose the Indio Field to provide 2-3 youth practice fields. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

10. Consider approving purchase of maintainer for Prect 1; take action as appropriate

Commissioner Rosson made a motion to approve the purchase of a 2022 Maintainer from Warren Cat in the amount of \$129,050.00 with the trade in of Unit #1256 (2016 CAT). Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

11. Open bids to place lighting along the walking path beside the 11th Street extension that goes to the South Cemetery; take action as appropriate

This item was table with no bids being received. Judge Keyes stated he would contact Excel Energy regarding the lighting along the walking path.

12. Open bids for hauling rock for the precincts; take action as appropriate

The following 5 bids were received:

- C & G Trucking
- Arcenio Ramirez
- Statewide Transport LLC
- RFC Regional Transport LLC
- Tex-Mex Construction Inc.

Commissioner Murphree made a motion to accept the bid from Tex-Mex as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

13. Consider approving quarterly investment report; take action as appropriate

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

14. Consider approving the sale of airplane hangar ; take action as appropriate

Commissioner Murphree made a motion to approve the sale of hanger B1 to PSI Properties, LLC from Kerry Williams. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

15. Discuss airport lease agreement violations; take action as appropriate

Michael Lord, Treasurer, stated he had received 8 checks for hanger leases at the airport, however, these individuals have not and will not sign a lease agreement. Joe Nagy, County Attorney, suggested a letter or phone call be made to these individuals asking the reason for noncompliance. He stated if the issue is not resolved they would come before commissioners court with an explanation. This item was tabled until Judge Keyes and Commissioner Murphree contacted and spoke with the noncompliance individuals.

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

None

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

None

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

Commissioner Rosson stated the old City Hall in Seagraves has discovered termites and are in the process of having it treated. The cost for the County would be approximately \$3,00.00.

Commissioner Murphree stated he attended a conference last week and had the Buy Board purchases for the county pulled up and the county is not getting the percentage back entitled to the county. Esmeralda Felan, Auditor, stated in the past the Vendors would turn in the information required for the county to receive their percentage. However, they no longer do this and this information was never relayed to the county. The auditors office is in the process of getting the correct information turned in to receive the percentages due the county from Buy Board.

Scott Shortes, IT Director, stated the county was no longer in contract with AT&T and he had sent an email to employees with fax numbers that had to be changed.

Judge Keyes stated he would be attending a preconstruction meeting with TxDot in Midland tomorrow. He stated the process of reconstruction on 385 which would be also within city limits and would be a 2 year project.

Commissioners Houston stated the Seagraves stand primer coat was complete and the next step would be painting and the project would be completed.

Esmeralda Felan, Auditor, stated she has received all budget packets and the first budget meeting would be held in 2 weeks following commissioners court.

Judge Keyes stated TAC recognized Gaines County as Zero lost time in workers compensation as seen in the certificate presented. (see attached)

Robert Barrett, Emergency Management Director, stated that with the drought and no rain in the immediate future there will most likely be a burn ban placed next week. He also stated with 4th of July approaching no fire type sticks would be allowed and Randy Jones stated he would not be selling those at his firework stand. The burn ban will include listed acceptable and nonacceptable behavior.

19. Adjourn;

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

The meeting adjourned at 10:58a.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 May 11, 2022.



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 MAY 25, 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
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9:00 A.M. Regular Meeting

1. Call to order, prayer, pledge

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

2. Public Comment – should be related to a listed agenda item, if not on the agenda the Court will be unable 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 as appropriate;
 - a. Payroll
 - b. Budget amendments and fund transfers
 - c. Accounts payable
 - d. Auditor's report
 - e. Officer's report
 - f. Renewal of routine annual service and similar agreement(s)
 - g. 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. (see attached)

4. Consider approving tournament requests; take action as appropriate

Commissioner Murphree made a motion to approve the First Baptist Church 9 Hole Scramble date change as presented by Shaun McDonald, Golf Pro. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

5. Receive and consider a report on the status of the Ogallala Aquifer in Gaines County from Lori Barnes and staff from Gaines County Water Conservation District; take action as appropriate

Lori Barnes, Llano Estacado Water District and Genealogist, County Water Conservation District did a presentation on Gaines county water situation, well conditioning, water levels and over view of the current situation with the water well level changes over the last 20 years. No action taken. (see attached)

6. Consider and discuss with Robert Barrett, GC EMC, the possible implementation of a burn ban county wide, due to the ongoing drought, take action as appropriate

Commissioner Belt made a motion to approve the Disaster Declaration and Order Restricting Outdoor Burning as follows per provisions stated in the Burn Ban Regulations (Sale of bottle rocks & spinners, outdoor burning (excluding grills & bar-b-q units) and welding must be performed in an outdoor environment, also a warning will be issued for the first violation then the individual will be issued a ticket. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

7. Consider and discuss policies and procedures for use of county owned baseball fields in Seagraves and Seminole; take action as appropriate

Commissioner Rosson made a motion to authorize Joe Nagy, County Attorney, to prepare policies and procedures for use of the county owned baseball fields with a \$1,000 deposit and \$200 a day renta for use of the fields. Commissioner Belt seconded the motion. Motion carried unanimously.

8. Consider applying for Unclaimed Property Capital Credits for Counties through the office of the Texas Comptroller of Public Accounts; take action as appropriate

Commissioner Houston made a motion to approve applying for the Unclaimed Property Capital Credits for use in the Library for summer programs. Commissioner Belt made a motion. Motion carried unanimously. (see attached)

9. Consider replacing the camera system's at the library and museum in Seminole; take action as appropriate

Commissioner Murphree made a motion to approve purchasing and replacing the camera system's at the library and museum in Seminole from JL3 Integrated Solutions in the amount of \$24,419.06 as presented by Scott Shortes, IT Director. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

10. Consider accepting Highland Hills subdivision roads as a county road; take action as appropriate

Commissioner Murphree made a motion to approve Highland Hills subdivision CR 306 & 311 as county roads. Commissioner Houston seconded the motion. Motion carried unanimously.

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

No subdivision applications. Judge Keyes spoke with Mr. Bustos and his staff, he stated if anyone had applied for EDAP that the subdivision rules would stay as is and not be changed.

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

Commissioner Murphree made a motion to approve a road crossings on CR's 308, 310, 320, 323 & 316 from Sabinal Energy Operating LLC. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

Commissioner Murphree stated Delta Construction had almost completed the project of removing the old fencing at the airport and it will approximately 30-60 days for the security fence to be completed. He stated there would be a grace period for lease holders learning the security card process. Scott Shortes, IT Director, stated he could issue other security cards to other individuals requiring access.

Commissioner Belt stated the old jail demolition with be cleaned up with be completed by May 26th but dirt will need hauled in to fill in some spaces so the lot is level.

14. Budget workshop: 10:35A.M.

1. Introductory presentation by Auditor concerning projected revenues, and budget requests

- Esmeralda Felan, Auditor, presented an overview of each department's budget request and line item increase. Esmeralda stated the next fiscal year looked very promising and each department should look at what was depleted last year and possibly increase that line item.

2. Discussion

Esmeralda Felan, Auditor stated in previous years not all commissioner accepted the raise increase given to all employees. Therefore, not all commissioner's salaries were equal and suggested adjusting each commissioner's salary, therefore, they would be on the say level of pay. She also stated there is a new Federal Holiday, June 19th and asked if this could be discussed whether to be added to the next years Holiday Schedule. Esmeralda stated various counties have awards banquets for employees and suggest this be something the court take into consideration. Esmeralda stated the need to possibly raise the per diem for meals for conference to employees and presented a report of other counties.

Commissioner Belt stated if a raise is approved to all employees there should be additional increase to the Sheriff's Department as they put there lives on the line and never closed during Covid and work long hours.

Judge Keyes stated he had requested the Auditor to compile totals for employee raises from 1% to 5% and this item would be discussed at the next budget workshop in 2 weeks.

3. Consider the most recent information on the American Rescue Plan and determine the best course of action for the county; take action as appropriate

Judge Keyes stated he had requested the next phase of the American Rescue Plan in the amount of \$2,000,000.00, once this is received we would then have \$4,000,000.00

15. Adjourn;

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

The meeting adjourned at 12:03p.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 May 25, 2022.



Terri Berry

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

