

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON SEPTEMBER 13, 2023 AT 9:00 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON  
JOSH ELDER  
DAVID MURPHREE  
BIZ HOUSTON

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

TERRI BERRY (ALISSA RODRIGUEZ)

COUNTY CLERK

9:00 am Regular Meeting:

**Call to Order**-Judge Cindy Therwhanger

**Invocation**

**Pledge**-United States and Texas

1. Public Comment: Anyone wishing to address the Court during Public Comments is required to register your name on the registry prior to the meeting. Speakers may only address items listed on the current agenda and are limited to three (3) minutes speaking time. The Court cannot deliberate or act on matters not listed on the agenda.

None

2. To consider, discuss, and take any necessary action on routine administrative items:
  - a. Discuss consider and/or approve the minutes from last month's meetings August 2, 2023, August 16, 2023, and August 28, 2023.
  - b. Discuss, consider and/or approve payroll payables.
  - c. Discuss, consider and/or act regarding accounts payable, fund transfers and budget amendments.
  - d. Discuss, consider and/or approve renewal contracts:
    - i. Pontem -\$1525.00
    - ii. DBT Transportation Services-\$5966.00
    - iii. HG Creative LLC -\$2400.00
    - iv. Hart InterCivic -\$237.12
    - v. JL3 Integrated Solutions - \$144.00

Commissioner Rosson made a motion to approve the renewal contracts on the following: Pontem-\$1,525.00, DBT Transportation Services-\$5,966.00, HG Creative LLC-\$2,400.00, Hart InterCivic-\$237.12, JL3 Integrated Solutions and the routine administrative items as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

3. To consider, discuss and take any necessary action on approving a medical services contract for the Sherriff's Office.

Commissioner Murphree made a motion to approve a medical services contract for the Sheriff's office with Michael Watson, MD. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)
4. To consider, discuss and take any necessary action on approving Sheriff's forfeiture fund budget.

Commissioner Rosson made a motion to approve the Sheriff's forfeiture fund budget as presented. Commissioner Houston seconded the motion. Motion carried unanimously.
5. To consider, discuss and take any necessary action on a quote from JWC Environmental to perform maintenance on a muffin monster grinder at the Gaines County Jail. Total Cost: \$12,043.00

Commissioner Rosson made a motion to approve the quote in the amount of \$12,043.00 from JWC Environment to perform maintenance on the muffin monster grinder at the Gaines County Jail. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

6. To consider, discuss and take any necessary action on requests for golf tournaments.

No action taken

7. To consider, discuss and take any necessary action on reviewing and renewing the golf professional's contract.

Commissioner Murphree made a motion to approve the renewal contract for the golf professional, Shaun McDonald. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any necessary action on the Catastrophic Sick Leave Committee.

Commissioner Elder made a motion to approve the Catastrophic Sick leave committee as follows:

Elected Officials-Susan Murphree & Ronnie Pipkin

Employees-Kolt Blackmon, Krista Penner, Derek Sellers, Leslie McConal, Frank Wieler & Cristien Holguin.

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

9. To consider, discuss and take any necessary action on updates to employment policies and /or employee manual changes.

Commissioner Houston approved the following updates to the employment policies:

Retirement plan (5.04) matching contributions from the Count are at a ratio of \$1.65 or \$1.65 for every \$1.00 the employee contributes.

Covid Leave (6.13) was removed in its entirety

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

10. Discuss update from Metro on the temporary water line in precinct 3.

Judge Therwhanger and Commissioner Murphree stated they received confirmation from Tim Williford VP, Texas Water Utilities stating plans are underway for rehabbing the La Tierra permanent outfall line. He will meet with Commissioner Murphree 9/28 and will begin the permitting process. Once the permanent line is cleaned the temporary line will be removed. No action taken.

11. To consider, discuss and take any action on an interlocal agreement with Seagraves Independent School District and Gaines County.

Commissioner Rosson made a motion to approve the Interlocal agreement with Seagraves Independent School District as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

12. To discuss, consider and take any necessary action on approval on requests to build the following hangers:

- a. Abe Wall/Walco – 70x70 hanger with water – Hanger L2
- b. George Wall – 70x70 hanger with water – Hanger K8
- c. Tim Neufeld – 70x75 hanger with water – Hanger K4

No action taken as there will be a new contract on building hangers including a time frame of one year to be completed. This will be place on a future agenda

13. To discuss, consider and take any necessary action on advertising for bids to pave the parking lot at the Gaines County Library & Museum and the back portion of the South Plains Public Health Department.

Commissioner Elder made a motion to go out for bids on removing and replacing asphalt and striping of the Courthouse parking lots and the Library parking lot with bids turned in by October 10<sup>th</sup> and opened October 11<sup>th</sup>. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

14. To consider, discuss and take any necessary action on a First Contract Renewal Participating Service Agreement for the Statewide Automated Victim Notification Service (SAVNS).

Commissioner Rosson made a motion to approve the First Contract Renewal Participating Service Agreement for the Statewide Automated Victim Notification (SAVNS) as presented in the amount of \$7,794.83. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

15. Open bids for pickup for Precinct 2; act as appropriate.

There were no bids received, therefore, Commissioner Elder will find a pickup to purchase and place on the next agenda for approval.

16. To consider, discuss and take any necessary action to review fuel contract.

Commissioner Elder made a motion to renew the current fuel contract with Seminole Butane for an additional year. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

17. Consider approving subdivision application(s) and/or requests for exceptions or variances; act as appropriate.

Commissioner Houston made a motion to approve Kotton Country Estates Subdivision (plat #221) and Oakland Pointe Subdivision (plat #222) as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

18. Consider approving road crossing request(s); act as appropriate.

None

19. 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.

Judge Therwhanger: Received an update from Zack Holbrooks regard remodeling of the South Plains Health Department in Seagraves and he stated it would be ready to open soon.

The dishwasher for the Sr. Citizens in Seminole is in and should be installed this week. She asked commissioners to save the date of November 11<sup>th</sup> for the South Plains County Commissioners Court Conference.

Commissioner Elder: LED lights were placed in his shop and are inexpensive and recommends the other precincts have this done. He has the overhead doors installed using the insurance money and would be doing more upgrades.

Commissioner Houston: The water at the Cemetery is being tested and the tanks are holding up and water is sufficient to run 3 stations at one time. The lights at the arena are being installed. The bathroom are complete and he is in the process of putting doors up on the women's restrooms.

Commissioner Murphree: The airport fencing repairs need started and completed as soon as possible using the insurance money. The spray foam at the EOC is complete and he needs to cover the 2 walls that were built in house. The radios will be installed in mid October to mid November.

20. EXECUTIVE SESSION: Pursuant to Texas Government Code, Chapter 551.

- a. May be acted upon, if appropriate, in open session:
- b. Pursuant to Texas Government Code §551.129(2), Consultation with Attorney
- c. Pursuant to Texas Government Code §551.074 (Personnel Matters)

Started at 9:45a.m.

OPEN SESSION started at 11:12a.m. with no action taken.

21. Adjourn;

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

The meeting adjourned at 11:13a.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 September 13, 2023.



*Terri Berry*

Terri Berry, County Clerk  
Clerk of Commissioners Court  
Gaines County, Texas

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COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON SEPTEMBER 27, 2023 AT 9:00 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

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

TERRI BERRY

COUNTY CLERK



NOTICE OF REGULAR MEETING  
GAINES COUNTY COMMISSIONERS' COURT MEETING

Wednesday, September 27, 2023 9:00 A.M. 101 South Main, Seminole, TX

**9:00 am Regular Meeting:**

**Call to Order**-Judge Cindy Therwhanger

**Invocation**

**Pledge**-United States and Texas

1. Public Comment: Anyone wishing to address the Court during Public Comments is required to register your name on the registry prior to the meeting. Speakers may only address items listed on the current agenda and are limited to three (3) minutes speaking time. The Court cannot deliberate or act on matters not listed on the agenda.

Public in attendance will speak when the agenda item is reached

2. Discuss, consider and/or act on routine administrative items:
  - a. Discuss, consider and/or approve payroll payables.
  - b. Discuss, consider and/or act regarding accounts payable, fund transfers and budget amendments.
  - c. Discuss, consider and / or approve request for salvage of technology items.
  - d. Discuss, consider and/or approve renewal contracts:
    - Computacenter - \$1,115.54
    - Trane - \$11,928.00
    - Control Consultants Services Inc (CCSI) - \$2,283.00
  - e. Discuss, consider and/or approve the officer's report reporting all fines imposed and collected for the month of August pursuant to Local Government Code 114.004 and Texas Government Code 51.042.

Commissioner Rosson made a motion to approve the renewal contracts on Computacenter - \$1,115.54, Trane - \$11,928.00, Control Consultants Services Inc. - \$2,283.00 and the routine administrative items as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

3. To consider, discuss and take any necessary action on a request to waive rental fees at the Civic Center Barn for Hallelujah Night, hosted by Transformation Church.

Commissioner Murphree made a motion to authorize a waiver of rental fees at the Civic Center Barn for the Transformation Church's Hallelujah Night as presented by Gabi Delay, Transformation Church. Commissioner Elder seconded the motion. Motion carried unanimously.

4. Meet with Shawntay Pettyjohn concerning Chamber of Commerce events.

This item was tabled

5. Discussion on assistance needed at the Gaines County Veterans Memorial site.

Judge Therwhanger stated she had been contacted by Randy Carlisle requesting the county to take over the maintenance of the Veterans Memorial site. Commissioner Murphree stated this should not be a big expense the biggest cost would be to replace the flag at times. He also stated to have Johnny Hernandez, Veterans Officer to assist. Judge Therwhanger stated the county had deeded the land to them and they stated they would deed it back to the county if the county took over the maintenance. She stated she is in the process of having Joe Nagy, County Attorney assisting in the preparation of paperwork and the legal aspect of this issue. No action taken

6. To consider, discuss and take any necessary action on gifting 12 rifle vests from the Gaines County Sheriff's Department to the Seagraves Police Department.

Commissioner Elder made a motion to approve the donation of 12 rifle vests from the Gaines County Sheriff's Department to the Seagraves Police Department as presented by Ronny Pipkin, Sheriff. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

7. To discuss, consider and take any necessary action on a contract with Trinity Services Group for meals at the Gaines County Jail.

Commissioner Rosson made a motion to approve the contract with Trinity Services Group for the meals at the Gaines County Jail. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any necessary action on declining on the purchase of the WW Low Profile trailer for the Gaines County Extension Office.

Terry Milican, Ag/Extension, stated after this was approved in the previous commissioners court he and the seller had issues with the purchase due to an issue with the axel. Commissioner Murphree made a motion to approve declining the purchase of the WW Low Profile Trailer for the Extension Office as presented. Commissioner Elder seconded the motion. Motion carried unanimously.

9. To consider, discuss and take any necessary action on purchasing a new WW Low Profile trailer for the Gaines County Extension Office. \$9,575.00

Commissioner Rosson made a motion to approve the purchase of a new WW Low Profile trailer from H & H Trailer Sales Inc. for the Extension Office in the amount of \$8,875.00 which is a lower price than the seller previously stated. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

10. To consider, discuss and take any necessary action to approve hosting a Health Fair at the Gaines County Library in Seminole on October 18, 2023.

Commissioner Elder made a motion to approve hosting a Health Fair at the Gaines County Library in Seminole on October 18<sup>th</sup> as presented by Sabra Hall, Library Director. Commissioner Houston seconded the motion. Motion carried unanimously.

11. To consider, discuss and take any necessary action to accept a donation to the Seagraves Library.

Sabra Hall, Library Director, stated Cindy Durham purchased 2 trees from the Olive Branch and wanted to donate and plant them at the Gaines County Library in Seagraves. Commissioner Rosson made a motion to approve the donation of 3 trees for the Gaines County Library in Seagraves. Commissioner Houston seconded the motion. Motion carried unanimously.

12. To consider, discuss and take any necessary action to approve the contract for grant payments for senior meals for FY 2024.

Commissioner Rosson made a motion to approve the renewal contract for grant payments for senior meals for FY 2024 as presented with no changes. Commissioner Murphree seconded the motion. Motion carried unanimously.

13. To consider, discuss and take any necessary action on replacing wood poles for the driving range at the Gaines County Golf Course.

Judge Therwhanger stated she had received 2 bids to purchase wood poles for the driving range at the Gaines County Golf Course from Kay & Kompany Electric - \$7,228.00 & Big Star Electric- \$5,800.00. Commissioner Rosson made a motion to approve the bid from Big Star Electric in the amount of \$5,800.00 to purchase the wood poles for the driving range at the Gaines County Golf Course. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

14. To consider, discuss and take any necessary action to approve a disc golf course.

Commissioner Elder made a motion to approve the beginning process of placing a disc golf course on the south side of the Gaines County Park as presented by Cornelius Hildebrandt. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

15. To consider, discuss and take any necessary action to purchase 3 tablets from Verizon with cell service for the cemeteries to access software.

Commissioner Houston made a motion to approve the purchase of 3 - 9<sup>th</sup> Generation iPads with Verizon for the Cemeteries as presented by Scott Shortes, IT Director. Commissioner Elder seconded the motion. Motion carried unanimously.

16. To consider, discuss and take any necessary action to appoint a board member for the Northeast Gaines County Emergency Services District.

This item was tabled.

17. To consider, discuss and take any necessary action on the City of Seminole purchasing two Kabota tractors from Gaines County, Precinct 4.

Commissioner Houston made a motion to approve the City of Seminole purchasing 2 Kabota tractors from Precinct 4 in the amount of \$10,300.00. Commissioner Murphree seconded the motion. Motion carried unanimously.

18. To consider, discuss and take any necessary action on implementing a "No Pet Policy" in any Gaines County facility, except for ADA approved service animals.

Commissioner Elder made a motion to approve implementing a no pet policy in any of the Gaines County facility buildings except for ADA approved service animals effective October 1, 2023. Commissioner Rosson seconded the motion. Motion carried unanimously.

19. To consider, discuss and take any necessary action on adding Addison Espinoza as a flight instructor at the Gaines County Airport.

Commissioner Murphree stated the need for a licensed flight instructor at the Gaines County Airport and suggested Addison Espinoza to be the instructor. Addison Espinoza state he has received his training and was licensed to teach the class. All commissioners agreed this would be beneficial to the community and after Addison meets with the county attorney to prepare the required paperwork, presents his license and insurance this would be put on the October 11<sup>th</sup> agenda for approval. (see attached)

20. To consider, discuss and take any necessary action on a request to host a car show at the Gaines County Airport on October 7, 2023.

Commissioner Rosson made a motion to approve a car show at the Gaines County Airport with a date change of Saturday, October 28. Commissioner Houston seconded the motion. Motion carried unanimously.

21. To consider, discuss and take any necessary action on submitting a request for bids for pickups for Gaines County.

Commissioner Rosson made a motion to go out for bids for Precinct's 1,3 & 4 for ¾ ton 4 wheel drive pickup with bids to be turned in by October 24<sup>th</sup> and opened October 25<sup>th</sup>. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

22. To consider, discuss and take any necessary action on approval of a quote from Clifford Power for a generator at the Emergency Operations Center. Total Cost: \$39,989 w/ warranty maintenance.

Commissioner Elder made a motion to approve the purchase of a generator for the EOC from Clifford Power in the amount of \$39,989.00 and to be paid out of ARPA funds. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

23. To consider, discuss and take any necessary action on approval on requests to build the following hangers with the stipulation that hangers must be complete in 24 months:

- a. Abe Wall/Walco – 70x70 hanger with water – Hanger L2
- b. George Wall – 70x70 hanger with water – Hanger K8
- c. Tim Neufeld – 70x75 hanger with water – Hanger K4

Commissioner Elder made a motion to approve the following hangers with the stipulation that the hangers must be completed in 24 months:

- o Abe Wall/Walco – 70x70 hanger with water – Hanger L2
- o George Wall – 70x70 hanger with water – Hanger K8
- o Tim Neufeld – 70x75 hanger with water – Hanger K4

Commissioner Houston seconded the motion. Motion carried unanimously.

24. To consider, discuss and take any necessary action on an Inter-local agreement with the City of Seminole for Gaines County Park and Golf Course for affluent water.

Commissioner Murphree made a motion to approve the Inter-local Agreement with the City of Seminole for Gaines County Park and Golf Course for affluent water. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

25. To consider, discuss and take any necessary action on nominating up to four new board members for the Gaines County Appraisal District.

Commissioner Rosson made a motion to approve the nominations of Adolfo Cotez, Ty Froman, Bradley Palmer II and Blair Tharp as the new board members for the Gaines County Appraisal District. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

26. To consider, discuss and take any action on an order setting the regular term of the Gaines County Commissioners Court for Fiscal Year 2024 according to Local Government Code §81.005.

Commissioner Elder made a motion to set the regular term of the Gaines County Commissioners Court for the Fiscal Year 2024 as every other Wednesday prior to payday. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

27. To consider, discuss and take any necessary action on the renewal of a contract for juvenile residential services.

Commissioner Houston made a motion to approve the renewal contract with Scott Martins, Alternative Life Solutions Counseling as presented. Commissioner Murphree seconded the motion. Motion carried unanimously.

28. To consider, discuss and take any action on planning an “Employee Appreciation & Recognition Luncheon” on November 30, 2023.

Commissioner Houston made a motion to approve planning and holding the Employee Appreciation & recognition Luncheon on changed date of Wednesday, November 29<sup>th</sup> with invitations sent to each employee with an RSVP as to get a head count of all attending. Commissioner Elder seconded the motion. Motion carried unanimously.

29. Open bids for Asphalt and related products; take action as appropriate.

Commissioner Rosson made a motion to approve the 2 bids received for asphalt from HF Sinclair & Ergon. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

30. Open bids for Sand; take action as appropriate.

Commissioner Rosson made a motion to approve the one bid received for sand from RE Janes Gravel Co. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

31. Open bids for Gravel hauling; take action as appropriate.



Commissioner Houston made a motion to approve the one bid received for gravel hauling from Tex-Mex Construction Inc. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

32. Open bids for MC-30; take action as appropriate.

Commissioner Rosson made a motion to approve the one bid received for MC-30 from Ergon. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

33. Open bids for all Aggregate; take action as appropriate.

Commissioner Rosson made a motion to approve the one bid received by RE Janes Gravel Inc. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

34. To consider, discuss and take any necessary action on a plan presented by Metro for the cleanout project in Precinct 3.

This item was tabled.

35. Discuss Senate Bill 2440 regarding subdivision regulations.

Judge Therwhanger stated SB 2440 states an engineer is to review plats before approved in commissioners court therefore, the Subdivision policy will have to be revised. Commissioner Murphree stated the pricing from EIIT Hibbs & Todd was very high stated the policy needs to state the developer is to pay the engineer. Judge Therwhanger stated a Public Hearing in late December will be held to explain and address this issue. No action taken.

36. Consider approving subdivision application(s), exceptions or variance requests; take action as appropriate.

none

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

Commissioner Elder made a motion to approve a road crossing from Johan Knelsen on CR 249. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

38. 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.

Judge Therwhanger-The cost for muffin monster that was approved did not include installation therefore she approve it to be installed at an approximate cost of \$1,500.00. There is an issued with security when the elections is in the Civic Building and the barn is also used. Therefore a roll down door may be purchased to be place by the bathrooms to divide the facility when elections are being held.

Commissioner Elder- He purchased a new pickup from Sewell in Andrews, Tx in the amount of \$57,500.92 since no bids were received,

39. Adjourn;

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

The meeting adjourned at 10:33a.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 September 27, 2023.



*Terri Berry*

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

