

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON DECEMBER 9, 2013 AT 10:00 A.M. THE COUNTY JUDGE LANCE T. CELANDER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

DANNY YOCOM
CRAIG BELT
BLAIR THARP
BIZ HOUSTON

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

VICKI PHILLIPS

COUNTY CLERK

Court observed a moment of silence followed by the opening invocation given by Commissioner Tharp. Judge Celander led the pledge to flags. The meeting was called to order at 10:01 a.m.

1. 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 accept and approve the routine administrative items as presented. The motion was seconded by Commissioner Tharp. The motion carried unanimously. (see attached)

2. Consider declaring gifts and surplus for Library; take action as appropriate

Jane Bering presented a list of items for surplus and donations. Commissioner Yocom made a motion to approve surplus and accept donations as presented. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)

3. Consider approving Hold Harmless Indemnification Agreement-firing range; take action as appropriate

Judge Celander presented a Hold Harmless Indemnification Agreement for Sheriff Pipkin, to be signed by users of the firing range. Joe Nagy, County Attorney, stated while hopefully discouraging anyone from suing the County, this type of agreement does not really protect the County. Commissioner Belt made a motion approving the agreement as presented. The motion was seconded by Commissioner Tharp. The motion carried unanimously. (see attached)

4. Meet with County Treasurer, Michael Lord, to receive quarterly investment report; take action as appropriate

Michael Lord, County Treasurer, presented the Treasurer's Quarterly Investment Report for the 3rd Quarter FY 2013: April, May and June and the Treasurer's Quarterly Investment Report for the 4th Quarter FY 2013: July, August and September for approval. Commissioner Belt made a motion to accept and approve both reports as presented. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)

5. Consider approving a resolution concerning elected officials workers comp; take action as appropriate

Michael Lord, County Treasurer, presented a resolution with Texas Association of Counties regarding Elected Officials Workers' Compensation benefits. Commissioner Tharp made a motion approving the resolution for filing with TAC. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)

6. Consider approving a joint election on March 4, 2014; take action as appropriate
 Patricia Roberson, Elections Administrator, requested Court approval of a joint election for the March 4th Primary Election, stating the election will be conducted in Vote Centers. Commissioner Yocom made a motion approving a Joint Primary Election. The motion was seconded by Commissioner Belt. The motion carried unanimously.

7. Consider approving letter of interest on behalf of Gaines County for TxDot Aviation Division on Airport Development Plan; take action as appropriate
 Judge Celander reviewed a letter of interest regarding the Airport Development Plan, stating the expected cost at approximately \$850,000.00. The County's 10% share would be around \$8,000.00 for design and \$70,000.00 for construction. Commissioner Tharp made a motion approving the letter of interest and to allow a fund transfer from reserves into Airport fund. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)

8. Consider Indigent Defense Contract for District Court FY 2014; take action as appropriate
 Rick Dollahan presented the Indigent Defense Contract for District Court FY 2014 for Judge Schildknecht. Dollahan stated Artie Aguilar was the only one to submit a bid. The contract will now be a nine month instead of twelve months, to align with the County's budgets. Gaines County's share of the District contract will be \$16,844.85 for January 1, 2014 through September 30, 2014. Commissioner Yocom made a motion to approve the contract. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)

9. Consider current subdivision application(s); take action as appropriate
 None

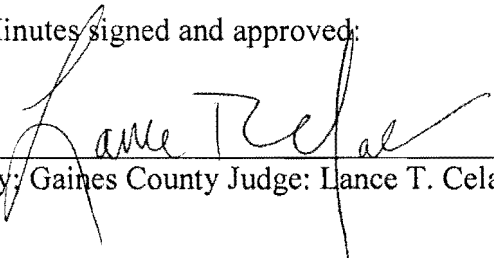
10. Consider current road crossing request(s); take action as appropriate
 None

11. 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
 - a. Wayne Gondeck presented a revised schematic design for the jail project, reviewing options for the EOC basement. (see attached)
 - b. Judge Celander shared a letter from Judge B.W. Baucum, Justice of the Peace, Precinct 2, stating he was withdrawing from the Primary Election ballot, citing health issues. (see attached)
 - c. Judge Celander stated Texas A&M Agrilife will be conducting annual evaluations of the Gaines County Extension Office staff, if anyone has anything to add regarding their job performance.
 - d. Texas Department of Transportation supplemental appropriations, Gaines County is being awarded \$3,762,350.00. Judge Celander stated a decision needs to be made whether to pursue this.
 - e. Commissioner Yocom stated the survey on the 11 acre Seagraves Rodeo Arena is completed. Yocom will confirm the City of Seagraves interest in having it deeded to the City. Joe Nagy, County Attorney, is checking on related issues.
 - f. Commissioner Belt stated he has 4 acres in Precinct 2 on Avenue J he would consider deeding or trading for other property.

12. Adjourn
 Commissioner Belt made a motion to adjourn. The motion was seconded by Commissioner Tharp. The motion carried unanimously.

Court adjourned at 11:36 a.m.

Minutes signed and approved:


 By: Gaines County Judge: Lance T. Celander

1-13-14
 Date

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON DECEMBER 23, 2013 AT 10:00 A.M. THE COUNTY JUDGE LANCE T. CELANDER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

DANNY YOCOM
CRAIG BELT
BLAIR THARP
BIZ HOUSTON

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

VICKI PHILLIPS(ABSENT)

COUNTY CLERK

Court observed a moment of silence followed by the opening invocation given by Commissioner Yocom. Judge Celander led the pledge to flags. The meeting was called to order at 10:02 a.m.

1. Discuss routine administrative items: take action needed

- a. Payroll
- b. Budget amendments and fund transfers
- c. Accounts payable
- d. Auditor's report
- e. Officer's report

Commissioner Belt made a motion to accept and approve the routine administrative items as presented. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)

2. Receive the FY 2013 audit from Davis, Ray & Co.; take action as appropriate

Ted Ward from Davis, Ray & Co. reviewed the FY 2013 audit, stating the County is doing a good job with a good financial statement. Mr. Ward recommended that prior to the reserve account being spent or obligated that it be approved by the Court and the budget be amended to remove the expenditure from the reserve account and record it in the proper general ledger account. Commissioner Yocom made a motion to accept and approve the audit as presented. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)

3. Consider approving maintenance agreement on copiers; take action as appropriate

Rick Dollahan, County Auditor, stated the annual maintenance agreement with CMC Business Systems automatically renews with the payment of invoices. Commissioner Houston made a motion to approve paying the renewals on copiers as invoiced. The motion was seconded by Commissioner Tharp. The motion carried unanimously.

4. Discuss a discretionary exemption for the Seagraves Community Bldg; take action as appropriate

Commissioner Tharp made a motion to approve a discretionary exemption for the renovations on the Seagraves Community Building in the amount of \$80,000.00. The motion was seconded by Commissioner Yocom. The motion carried unanimously.

5. Discuss inter-local agreement with Dickens County and CRPDO; take action as appropriate

Judge Celander discussed an interlocal agreement with Dickens County regarding the Caprock Regional Public Defender Office, requesting a voluntary withdrawal due to discrepancies in participation amounts paid by Gaines County. Commissioner Tharp made a motion to approve the voluntary withdrawal from the agreement. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)

6. Consider declaring property as surplus; take action as appropriate
Commissioner Yocom made a motion to approve declaring an 11.25 acre tract known as the Rodeo Arena in Seagraves as surplus. The motion was seconded by Commissioner Belt. The motion carried unanimously.
7. Consider deeding property over to the City of Seagraves from the County; take action as appropriate
Commissioner Yocom made a motion to approve deeding an 11.25 acre tract of land out of that certain 25.4253 acre tract described as Tract 5, located in the SW/4 of Section 10 Block C-34 PSL, known as the Rodeo Arena to the City of Seagraves for the public purpose of restoring and using as a Rodeo Arena again in the future. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)
8. Consider approving purchase of a lot in Seagraves; take action as appropriate
Judge Celander stated that the Court previously submitted an offer for property in Seagraves known as Lots 5 and 6 Block 15 Original Town of Seagraves for \$15,000.00 contingent upon confirmation that the underground storage tank has been removed and a Phase 1 Environmental study has been done. Having received confirmation on the contingencies, Commissioner Yocom made a motion to approve the purchase from Ignacio Macias for the price of \$15,000.00. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)
9. Consider presentation by GrantWorks on the County Energy Transportation Infrastructure Fund (TIF) and the related County Energy Transportation Reinvestment Zone (CETRZ); take action as appropriate
Bruce Spitzengel, President of GrantWorks, gave an overview on the County Energy Transportation Infrastructure Fund (TIF) and the related County Energy Transportation Reinvestment Zone (CETRZ) and the application process. Gaines County's allocation is \$3,762,350.00. (see attached)
10. Discuss and consider authorizing GrantWorks to begin working with the Court on necessary preliminary actions related to the County's participation in the TIF and creation of a CETRZ; take action as appropriate
Following the presentation by Bruce Spitzengel, President of GrantWorks, Commissioner Tharp made a motion authorizing GrantWorks to begin working with the Court on necessary preliminary actions related to the County's participation in the TIF and creation of a CETRZ. The motion was seconded by Commissioner Belt. The motion carried unanimously.
11. Discuss and identify proposed County Energy Transportation Reinvestment Zone (CETRZ) boundaries and authorize the County Judge to set a date and advertise the public hearing notice; take action as appropriate
Following a discussion by the Court on CETRZ zone, Commissioner Houston made a motion to approve Judge Celander and Commissioner Tharp to identify proposed County Energy Transportation Reinvestment Zone boundaries (CR 331) and authorized the County Judge to set a public hearing date of January 6, 2014 at 1:30 p.m. and advertise the public hearing notice on December 29, 2013. The motion was seconded by Commissioner Belt. The motion carried unanimously.
12. Consider mileage reimbursement rates for 2014; take action as appropriate
Rick Dollahan, stated the IRS mileage reimbursement rate for 2014 is .56, a decrease from the 2013 rate of .565. Commissioner Belt made a motion to approve the decrease in mileage reimbursement rates from .565 to .56 beginning January 1, 2014 to be in line with the IRS reimbursement rates. The motion was seconded by Commissioner Tharp. The motion carried unanimously.
13. Review part-time employees hourly wage rates; take action as appropriate
Commissioner Belt made a motion to approve part time employees a 3% hourly wage increase effective January 2014. The motion was seconded by Commissioner Tharp. The motion carried unanimously. (see attached)

14. Consider setting days for Commissioners Court for FY 2014; take action as appropriate
Commissioner Yocom made a motion to approve setting Commissioners' Court meeting dates as the second and fourth Monday's of each month for FY 2014, with the exceptions of moving Monday, May 26th to Tuesday, May 27th due to the Memorial Day Holiday and moving Monday, October 13th to Tuesday, October 14th due to the Columbus Day Holiday. The motion was seconded by Commissioner Belt. The motion carried unanimously. (see attached)

15. Consider renewing the contracts for residential juvenile services; take action as appropriate
Judge Celander presented two contracts for renewal for residential juvenile services: Lubbock County Juvenile Justice Center at a rate of \$100.00 per day for the detention program, \$110.00 per day for the Post-Adjudication General Offender Treatment Program and \$125.00 per day for the Specialized Care: Sex Offender Treatment Program, effective September 1, 2013 through August 31, 2014; and New Horizons Ranch and Center Inc. at a rate not to exceed \$148.11 per day, effective September 1, 2013 through August 31, 2014. Commissioner Yocom made a motion to approve the contract renewals as presented. The motion was seconded by Commissioner Houston. The motion carried unanimously. (see attached)

17. Discuss Jail Project; take action as appropriate

a. Wayne Gondeck with DRG Architects reviewed the current schematic design phase of the Jail Project, for a 72 capacity jail with a shell expansion area for future addition of 24 beds. Commissioner Belt made a motion to approve the schematic design and proceed with the design development phase and construction phase. The motion was seconded by Commissioner Tharp. The motion carried unanimously.

b. Commissioner Tharp made a motion to approve the 8.146 million budget to fund the Jail Project. The motion was seconded by Commissioner Belt. The motion carried unanimously.

18. Open RFQ for Jail Project; take action as appropriate

Five proposals were received for the Jail Project: Southwest General Contractors, Sedalco Construction Services, Templeton Construction, HMC West Texas Contracting LLC and Journeyman Construction. Commissioner Houston made a motion to approve Wayne Gondeck, with DRG Architects, to review the proposals on the Court's behalf, bringing a recommendation to the Court at the next Commissioners' Court meeting on January 13, 2014. The motion was seconded by Commissioner Tharp. The motion carried unanimously. (see attached)

19. Consider approving subdivision application(s)

None

20. Consider approving road crossing request(s)

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

a. Commissioner Houston updated the Court on the status of twelve dead trees cut down at the Cemetery and future plans for the stumps that are left.

b. Commissioner Belt would appreciate any help getting ready for the stock show.

Recess at 12:40 p.m. to call Sheriff for executive session.

16. Executive Session

Judge Celander called for an executive session beginning at 1:00 p.m. pursuant to Texas Government Code, Section 551.074 for the purpose of meeting with the County Sheriff to Discuss Employment Agreement.

Reconvene at 1:10 p.m. to regular session.

Commissioner Belt made a motion to approve the Employment Agreement. The motion was seconded by Commissioner Houston. The motion carried unanimously.

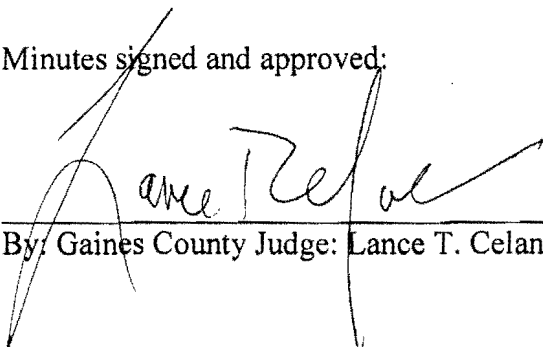
Commissioner Belt made a motion to approve the Employment Agreement. The motion was seconded by Commissioner Houston. The motion carried unanimously.

22. Adjourn

Commissioner Belt made a motion to adjourn. The motion was seconded by Commissioner Tharp. The motion carried unanimously.

Court adjourned at 1:12 p.m.

Minutes signed and approved:


By: Gaines County Judge: Lance T. Celandor

1-13-14
Date