

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON JANUARY 8, 2020 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

Court observed a moment of silence followed by the opening invocation given by Judge Keyes, who then led the pledge to the flags. The meeting was called to order at 9:00 a.m.

8:30 A.M. Work Session

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
 - f. Surplus/salvage

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

2. Consider mileage reimbursements rates for 2020; take action as appropriate

Esmeralda Felan, Auditor, stated the new IRS regulations for mileage reimbursement for the year 2020 is 57.5 cents per mile. Commissioner Belt made a motion to accept the IRS mileage reimbursements rates for 2020. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

3. Consider approving a variance on a subdivision concerning lot size; take action as appropriate

After much discussion this item was tabled until Jeannie Marrow, attorney at law, and Joe Nagy, County Attorney could be in attendance.

4. Consider appointing Judge Pro-tem; take action as appropriate

Commissioner Murphree made a motion to appoint Commissioner Belt Judge Pro-Tem in the absence of Judge Tom Keyes. Commissioner Rosson seconded the motion. Motion carried unanimously.

5. Consider approving surplus/salvage for the JP; take action as appropriate

Jeff James, Justice of the Peace Precinct 1, stated he had 7 lobby chairs and 2 office chairs to declare as surplus. Commissioner Rosson made a motion to approve Justice of the Peace chairs as salvage. Commissioner Murphree seconded the motion. Motion carried unanimously.

6. Consider accepting a gift from the Optimist Club; take action as appropriate

Judge Keyes stated Optimist Club member, James Wright had the deed for the Old Post Office previously used by the Optimist Club and wanted to gift it to the county. Joe Nagy presented the deed to be recorded in the County Clerks office. Commissioner Rosson made a motion to accept the gift of the Old Post Office from the Optimist Club.

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

7. Consider approving contract for juvenile services; take action as appropriate

Commissioner Rosson made a motion to approve the juvenile contract on Pegasus Schools. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

8. Consider approving road crossing request(s)

None

9. **PUBLIC HEARING:** Pursuant to Chapters 232 (Subchapters A, B, and E) and 233 (Subchapter B), Texas Local Government Code and other authority, a public hearing will be conducted regarding the proposed Subdivision and Manufactured Home Rental Community Regulations for Gaines County, Texas ("Regulations"). The Regulations shall govern plats, subdivisions of land, and manufactured home rental communities ("MHRC") in the county's unincorporated area to promote the health, safety, morals, and general welfare, and the safe, orderly, and healthful development of said area, and to ensure that adequate subdivision plats, MHRC infrastructure development plans, design and planning procedure, and water, sewer, septic/OSSF and related utility and transportation facilities and infrastructure are provided in said area. The Regulations include among other things: (1) subdivision plat and MHRC plan procedure, exceptions, and variances; (2) subdivision plat requirements pursuant to Section 232.023, Texas Local Government Code and other authority; and (3) standards and requirements for (a) adequate roads, (b) adequate water, sewer, septic/OSSF, and utility facilities, service, and connection (including the utility connection requirements of Section 232.029, Texas Local Government Code), (c) drainage and floodplain management, (d) lot frontages and building set-back lines, (e) disclosure regarding plats, plans, and purchase contracts, (f) disclosure regarding water availability and sufficiency, (g) fire suppression systems, and restrictions on firearm and bow/arrow use, in certain subdivisions, (h) civil and criminal enforcement, (i) bond or other financial security, and (j) a fee schedule.

Judge Keyes opened comments for public comments at 9:20 a.m. regarding proposed Subdivision and Manufactured Home Rental Community Regulations. At 9:30 a.m. with no comments or public attendance the public hearing was closed.

10. **EXECUTIVE/CLOSED SESSION** -- A closed meeting will be held pursuant to Sections 551.071 and 551.129, Texas Government Code (consultation with attorney), for the Commissioners Court to consult with and seek advice from its attorneys regarding: (1) the county's active and proposed subdivision and manufactured home rental community regulations; (2) enactment procedure for county development regulations; and (3) any other matter described in this meeting agenda.

Executive session begin at 9:32 a.m. No action taken in Executive session which ended at 10:51 a.m.

11. **OPEN SESSION** -- Discussion shall occur regarding: (1) approval of a takings impact assessment pursuant to Chapter 2007, Texas Local Government Code, for the proposed Subdivision and Manufactured Home Rental Community Regulations for Gaines County, Texas; and (2) scheduling to consider approval, adoption, and enactment of those Regulations by the Commissioners Court at a future public meeting; take action as appropriate

Open session began at 10:51 a.m. Commissioner Rosson made a motion to sign and approve the order dated January 8, 2020 on the TIA regarding the proposed Regulations and the approval and adoption of the proposed Regulations to be held at the public meeting on February 19, 2020. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

12. Consider approving subdivision application(s);

Commissioner Belt made a motion to approve the final Milar on Green Acres Corner Subdivision. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

Commissioner Rosson made a motion to approve the 1st reading of A1 Estates Subdivision. Commissioner Murphree seconded the motion. Motion carried unanimously

Commissioner Murphree made a motion to approve the 1st reading of South Colonia, Lots 22-41 Subdivision. Commissioner Houston seconded the motion. Motion carried unanimously.

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.

Judge Keyes stated he had received one bid to repaint the Library in Seminole and would research and find others. Judge Keyes stated the Library requested to close 2 weeks while the painting took place. After discussion the court stated it would be ok for the staff to move old books and close the library while being painted.

Commissioner Murphree state the animal wildlife people would be here to evaluate the the fence at the airport.

Commissioner Houston stated the need to discuss the hiring of a Code Enforcement person at the next Commissioner Court meeting. Chuck Kimbrough stated that he agreed that the need was there since we already had a subdivision & regulation policy in place at this time and would need this position in the future. Judge Keyes stated he would put it on the Agenda for discussion.

14. Adjourn;

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

Meeting Adjourned at 11:10 a.m.

STATE OF TEXAS §
COUNTY OF GAINES §

I, Terri Berry, Gaines County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for January 8, 2020.



A handwritten signature in cursive script, reading "Terri Berry", is written over a horizontal line.

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 JANUARY 22, 2020 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>
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Court observed a moment of silence followed by the opening invocation given by Judge Keyes, who then led the pledge to the flags. The meeting was called to order at 9:00 a.m.

8:30 A.M. Work Session

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
 - f. Surplus/salvage

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

2. Consider declaring surplus for Precinct 1 for a trade-in: take action as appropriate

Commissioner Rosson made a motion to declare Unit #1238, 140M3 Motor Grander as surplus for trade in. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

3. Consider a Buy Board purchase from Caterpillar: take action as appropriate

Commissioner Rosson made a motion to approve a Buy Board purchase from Warren Cat for a 2019 140M3 Caterpillar. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

4. Consider approving bids for painting the Seminole Library: take action as appropriate

Judge Keyes stated 4 bids for painting the Seminole Library were received:

1. Goodman Construction & Design \$20,783.75
2. Western Insulation \$21,750.00
3. Elizabeth Siemens \$5,675.00
4. Southerland and Sons Construction \$15,875.00

Commissioner Murphree made a motion to approve the bid from Goodman Construction & Design to paint the Seminole Library. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

5. Consider amending the budget to provide for a code enforcement officer to assist the Commissioners Court in managing Subdivisions and ensuring compliance with existing regulations; take action as appropriate

After much discussion regarding policies and procedures that would need to be in place to create this position this item is tabled until Michael Lord, Treasurer can compose a draft to be presented at the next court date.

6. Consider approving a variance on lot size for a subdivision in Precinct 3; take action as appropriate

Commissioner Murphree stated that the lots now have a community water well and meet with subdivision regulations and the owners now own ½ acre each. Commissioner Murphree stated that the Warranty Deeds prepared by Jeannie Marrow from David Neufeld are being filed in the County Clerks office. Commissioner Murphree made a motion to approve the variance on lot size for the subdivision in Precinct 3.

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

7. Consider going out for bids to sell certain lots in Precinct 2 on the north side of Seminole; take action as appropriate

Commissioner Belt made a motion to go out for bids to sell 2 parcels of land on North West Ave. K. The bids to be turned in by March 17, 2020 and opened March 18, 2020. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

8. Consider going out for bids to construct a taxiway at the Gaines County Airport; take action as appropriate

Commissioner Murphree stated there is currently no access to the ramp for recently new hangers that have been built, therefore it would require a taxiway to be poured. Commissioner Murphree made a motion to go out for cement bids. Bid would need turned in by February 18, 2020 and opened February 19, 2020. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

9. Consider authorizing Commissioner Murphree to sign a time sensitive grant after the paperwork is reviewed and approved by the County Attorney; take action as appropriate

Commissioner Rosson made a motion to authorize Commissioner Murphree to sign the 90/10 grant for the fence once it is reviewed and approved by the County Attorney. Commissioner Belt seconded the motion. Motion carried unanimously

10. Meet with Tommy Gonzalez to consider a software solution to ensure the County is compliant with HB 1368, concerning appropriate backups for County social media accounts; take action as appropriate

Tommy Gonzalez, IT Department, stated that there are currently 6 county entities that have Facebook pages that have written responses from the public. He stated in order to be compliant with HB 1368 he recommended going with Archive Social who monitors and backs social media data. The invoice states up to 10 accounts with 1,000 post for \$199.00 per month. Judge Keyes recommended this be an item that is approved within each budget year. Commissioner Belt made a motion to approve Archive Social for county social media accounts. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

11. Consider approving the Racial Profiling report from the Sheriff; take action as appropriate

Commissioner Houston made a motion to approve the Racial Profiling report as presented by Ronnie Pipkin, Sheriff. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

12. Consider approving subdivision application(s);

Commissioner Houston made a motion to approve the variance on 15 lots on Westcott Ranch Estate Subdivision. Commissioner Belt seconded the motion. Motion carried unanimously. (see attached)

Commissioner Murphree made a motion to approve the variance on lots 1-10 on Canyon Estates Subdivision. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

Commissioner Murphree made a motion to approve the 2nd reading of phase 2 of the South Colonia Subdivision in lots 22-41. Commissioner Rosson seconded the motion. Motion carried unanimously.

Commissioner Murphree made a motion the approve the 1st reading of phase 3 of the South Colonia Subdivision in lots 42-48. Commissioner Belt seconded the motion. Motion carried unanimously.

Commissioner Belt made a motion to approve the 1st reading of lots 1-6 in the replat of Breckon Estates Subdivision. Commissioner Rosson seconded the motion. Motion carried unanimously.

13. Consider approving road crossing request(s):

None

14. Announcements / Discussion: for information purposes only, while there may be discussion for clarification purposes, no action may be taken on these items except to schedule them for a future agenda.

Benette McDonald stated Robert Barret requested the contract regarding the Code Red be put back on the agenda as the county attorney did not approve. Michael Lord, Treasurer stated he had numerous boxes to be shredded and would like to find a company that would come and shred documents on sight. He stated this could be for other office within the county. Judge Keyes stated he could get bids and put on the Agenda for approval.

15. Adjourn:

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

Meeting Adjourned at 10:10 a.m.

STATE OF TEXAS §
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I, Terri Berry, Gaines County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for January 22, 2020.



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

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