

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON NOVEMBER 8, 2023 AT 9:00 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON	COMMISSIONER PRECINCT #1
JOSH ELDER	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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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. Department Reports:

- a. Seminole Museum – Introduce Darla Luster
- b. Buildings – Nick Castillo

Sally Davis, Museum Director, introduced her new employee, Darla Luster. She stated they had the following attend the museum: 72 2nd-5th graders, all school reunion classmates, trick or treaters. She stated the Christmas open house will be held December 4th from 6:30pm-8:30pm.

Nick Castillo, Buildings/Maintenance Director, stated he has been putting LED lighting in all the county buildings, new meters at EOC, Seagraves Senior Citizens updated kitchen is almost complete and they are starting on the dining room renovations, and discussed the EOC new building.

3. 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 October 11, 2023 and October 25, 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. The Golf System, Inc. - \$1550.00

Commissioner Rosson made a motion to approve the Golf System Inc. contract in the amount of \$1,550.00 and routine administrative items as presented. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

4. Meet with Shawntay Pettyjohn with Seminole Chamber of Commerce concerning an event for December 14th during Christmas Parade.

Commissioner Murphree made a motion to approve the Chamber of Commerce embellishing the area around the Santa house which will be the front parking area, after the Christmas Parade, December 14th as presented by Shawntay Pettyjohn, Chamber of Commerce. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

5. To consider, discuss and take any necessary action on a request from the Buildings Department to install an automatic gate opener at the Maintenance Building. Total Cost: \$4,450.00 – JD Fencing

Commissioner Elder made a motion to approve installing an automatic gate opener at the Maintenance Building by JD Fencing at a cost of \$4,450.00 to be paid out of building line. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

6. To consider, discuss and take any necessary action on the County Indigent Defense Plan to be submitted to the Texas Indigent Defense Commission for Juveniles.

Commissioner Elder made a motion to approve the change to 125% Poverty Guidelines as presented by Judge Therwhanger and the County Indigent Defense Plan to be submitted to the Texas Indigent Defense Commission for Juveniles. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

7. To consider, discuss and take any necessary action on the County Indigent Defense Plan to be submitted to the Texas Indigent Defense Commission for Misdemeanor Defendants in the County Court.

Commissioner Rosson made a motion to approve the change to 125% Poverty Guidelines as presented by Judge Therwhanger and the County Indigent Defense Plan to be submitted to the Texas Indigent Defense Commission for Misdemeanor Defendants. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any necessary action on an Interlocal Agreement with Regional Public Defender Office Local Government Corporation for 2024/2025.

Commissioner Rosson made a motion to approve the Interlocal Agreement with Regional Public Defender Office presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

9. Review Senior Citizens Donations as submitted by County Treasurer Michael Lord.

A new TV was donated to the Senior Citizens for exercise programs, no action taken.

10. To consider, discuss and take any necessary action on the quarterly investment report.

Commissioner Rosson made a motion to approve the quarterly investment report as presented by Esmeralda Felan, Auditor. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

11. Review year end auditor's report from the Northeast Gaines County Emergency Services District.

No action taken the auditor's report can be reviewed upon request.

12. To consider, discuss and take any necessary action on replacing the postage meter with Pitney Bowes at the Courthouse. Buy Board- \$558.58 monthly

Commissioner Elder made a motion to approve replacing the outdated postage meter with Pitney Bowes at the Courthouse and purchase a new meter from Buy Board at a cost of \$558.58 monthly as presented by Esmeralda Felan, Auditor. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

13. To consider, discuss and take any necessary action on a proposal from Culligan to replace the water softeners at the jail. Total Cost: \$15,251.57

Commissioner Rosson made a motion to replace the water softeners at the jail with Culligan at a cost of \$15,251.57 to be paid out of ARPA funds. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

14. To consider, discuss and take any necessary action on voting for Board Members of the Gaines County Appraisal District Board.

Commissioner Rosson made a motion to approve dividing the 956 votes between each commissioner at 239 votes each and cast those votes evenly towards the following board members for the Gaines County Appraisal District Board:

- Adolfo Cortez
- Ty Froman
- Bradley Palmer II

- Blair Tharp.

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

15. To consider, discuss and take any necessary action on Precinct 4 purchasing a tractor from Terry County Tractors. Buy Board purchase- Total Cost with trade-in: \$46,230.69

Commissioner Houston made a motion to approve the purchase of a tractor from Terry County Tractors from Buy Board at a cost of \$46,230.69 for Precinct 4 cemetery and funds to be moved out of reserve line to cemetery line. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on requests for asset removal from Precinct 4.
 - a. Trade In to Terry County Tractors - 2 Kubota Tractors / John Deere Tractor / Backhoe Attachments
 - b. Salvage - Toro Deck Mower

Commissioner Houston made a motion to approve the trade in's from the South Cemetery and Precinct 4 to Terry County Tractor as follows:

- Unit# CM 142 Kubota tractor
- Unit# CM 155 Kubota tractor
- Unit# 4027 John Deere Tractor
- Unit# CM 159 Kubota backhoe attachment

and declare salvage on unit# 4106 Toro Deck Mower Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

17. To consider, discuss, and take any necessary action on Precinct 4 purchasing a 2024 Ram 2500 work truck from Premier of Lamesa. Total cost: \$56,116.26

Commissioner Houston made a motion to approve the purchase of a 2024 Ram 2500 work truck from Premier of Lamesa in the amount of \$56,116.26 for Precinct 4. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

18. To consider, discuss and take any necessary action on contracts for Juvenile Probation Department.
 - a. Shoreline Inc. (residential services)
 - b. Rise Up – Shalea Addison (non-residential services)

Commissioner Rosson made a motion to approve the Juvenile Probation contracts with Shoreline Inc. and Rise Up as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

19. To consider, discuss and take any necessary action on purchasing two pickups for Precinct 3 from Frontier Dodge. Cost: \$56,025 each

Commissioner Elder made a motion to approve the purchase of two pickups for Precinct 3 from Frontier Dodge at a cost of \$56,025.00 each to be paid out of Precinct 3 equipment purchase line. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

20. To consider, discuss and take any necessary action on Jake's Fencing making repairs to the airport fence.

Commissioner Murphree stated the county will pay for the repairs to the airport fence caused by an accident and be reimbursed from the insurance company. Commissioner Elder made a motion to approve Jake's fencing to do the repairs to the airport fence in the amount of \$18,000.00. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

21. To consider, discuss and take any necessary action on accepting Request for Qualifications for Architectural Firms for future county projects.
 - a. RFQ due by December 5, 2023

Commissioner Rosson made a motion to accept Request for Qualifications for Architectural Firms for county projects, such as 4-H barns which is due by December 5th. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

22. To consider, discuss and take any necessary action on allowing Metro to install manholes for work on temporary line in Precinct 3.

Commissioner Murphree made a motion to approve Metro to install manholes for work on a temporary line in Precinct 3 with supervision during the process. Commissioner Rosson seconded the motion. Motion carried unanimously.

23. Open bids for pit run caliche (rock crushing); take action as appropriate.

Commissioner Murphree made a motion to decline the one bid received from Randy Knelsen for pit run caliche. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

24. Open bids for lighting along the walking park; take action as appropriate.

Commissioner Murphree made a motion to approve the one bid received from Big Star Electric for lighting along the walking park in the amount of \$193,600.00 to be paid out of ARPA funds. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

25. To consider, discuss and take any necessary action on catering bids for Employee Appreciation Luncheon.

Commissioner Houston made a motion to approve the one bid received from Just A Bite for catering the Employee Appreciation Luncheon at a cost of \$18.00 a plate approximate cost \$2,700.00. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

The following is a timeline for revisions to Gaines County Subdivision Regulations:

November 13-Publish 30-day notice of public hearing / have proposed policy available for review

December 10- Deadline to turn in applications for subdivisions under the current regulations

December 20- Public Hearing 11:00am-Proposed Adoption of Policy

No Action Taken

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

None

28. 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 Therwanger- Stated the next Commissioners court date will be November 21st due to the Thanksgiving holiday and November 13th to canvas votes from the November 7th election. Chuck Kimbrough contacted her stating there was \$624 balance in the TxDot funds. He stated he could apply this amount to road and send a letter for the Judge to sign off on. David Ray & Company will be here November 15th to begin the county audit. The parking lot in the front is complete and the North and East side parking lots will begin the paving project November 10th. She stated that there is little light on the South side of the civic building and when roads are blocked for events it could be a hazard and suggested more lighting in that area.

Commissioner Elder: He stated before mowing season starts next year he would be purchasing a new mower for Precinct 2. He also received a call from someone regarding a wind farm in Gaines County.

Commissioner Murphree: He stated he had received the 2024 Rant Grant for the airport with 50/50 if up to \$100,000 was spent. Presently the grant is 90/10.

Esmeralda Felan: She stated she had received mail regarding someone wanting to purchase the Land at 700 Hobbs Hwy. which is the museum and library.

29. EXECUTIVE SESSION: Pursuant to Texas Government Code, Chapter 551. May be acted upon, if appropriate, in open session:

- a. Texas Government Code § 551.129(2): Consultation with attorney

Executive session began at 10:15a.m,

Open session began at 10:58a.m.

30. Adjourn;

Commissioner Rosson made a motion for the meeting to adjourn. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

The meeting adjourned at 10:59a.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 November 8, 2023.



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 SPECIAL MEETING ON NOVEMBER 13, 2023 AT 9:00 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON	COMMISSIONER PRECINCT #1
JOSH ELDER	COMMISSIONER PRECINCT #2
DAVID MURPHREE	COMMISSIONER PRECINCT #3
BIZ HOUSTON	COMMISSIONER PRECINCT #4

TERRI BERRY	ABSENT	COUNTY CLERK
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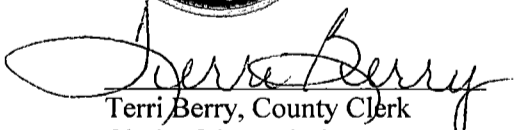
9:00 am Special Meeting:

- a) Call to order, invocation, pledge
Judge Therwhanger called the meeting to order with the invocation and pledges of allegiances.
- b) To consider, discuss and approve canvassing election results for November 7, 2023 election.
Commissioner Elder made a motion to approve the canvassing election results for November 7, 2023 election as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)
- c) Adjourn;
Commissioner Rosson made a motion for the meeting to adjourn. Commissioner Elder seconded the motion. Motion carried unanimously.

The meeting adjourned at 9:12a.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 November 13, 2023.




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 NOVEMBER 21, 2023 AT 9:00 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

BRIAN ROSSON	COMMISSIONER PRECINCT #1
JOSH ELDER	COMMISSIONER PRECINCT #2
DAVID MURPHREE	COMMISSIONER PRECINCT #3
<u>BIZ HOUSTON</u> <u>ABSENT</u>	<u>COMMISSIONER PRECINCT #4</u>

<u>TERRI BERRY</u>	<u>COUNTY CLERK</u>
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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. Departmental Reports:
 - a. Treasurer Office – Michael Lord- absent- Judge Therwhanger stated he was going to discuss the 1.65% of the increase in retirement
 - b. Golf Course Maintenance – Scott Nichols- Stated the following will be winter projects:
T-Boxes added to 6, 7, 9 & 16, dirt projects finished, trees trimmed, sand traps cleaned out, drainage on greens, equipment lease is renewed and it will be May-August 2024 before they are delivered.
3. To consider, discuss, and take any necessary action 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 the officer's report reporting all fines imposed and collected for the month of October pursuant to Local Government Code 114.004 and Texas Government Code 51.042.
 - d) Discuss, consider and/or approve renewal contracts:
 - Local Government Solutions, LP
 - i. Justice of the Peace Precinct 1 - \$6720.00
 - ii. Justice of the Peace Precinct 2 - \$4800.00
 - Vista – Campaign Finance Annual License Subscription - \$2,000.00
 - Debt Book - \$9,050.00

Commissioner Rosson made a motion to approve the renewal on the following contracts:

- Local Government Solutions for JP Precinct 1-\$6,720.00 and JP Precinct 2-\$4,800.00
- Vista-Campaign Financial Annual License Subscription-\$2,000.00
- Debt Book-\$9,050.00

and the routine administrative items as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

4. To consider, discuss, and take any necessary actions on a request from Small Town Blessings (Rachel Hernandez) to request a reduced or gratis rate when renting the Civic building for their events,

Following much discussion this item was rejected as our policy states the form 501C-3 has to be completed and approved with the state in order for the county to reduce pricing.

5. To consider, discuss and take any necessary action on a request from Sabra Hall for the Seminole Library to use the Unclaimed Capital Funds to purchase a 75" Onn Roky TV, mounting bracket and a new 11" iPad Pro 256GB. Total cost \$1964.32

Commissioner Elder made a motion to approve Sabra Hall, Librarian Director, to use the Unclaimed Capital funds to purchase a 75" Onn Roky TV-\$498.00, mounting bracket-\$35.00 and a new 11" IPAD Pro at a cost of \$1,964.3w with a total cost of \$2,497.32. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

6. To consider, discuss and take any necessary action on a request from Sabra Hall for the Seagraves Library to use the Unclaimed Capital Funds to purchase incentive prizes and a grand prize for the Seagraves Library Winter Adult Reading Program.

Commissioner Rosson made a motion for Sabra Hall, Librarian Director, to use the Unclaimed Capital Funds to purchase incentive prizes-\$500 and a grand prize-\$200 gift card for the Seagraves Library Winter Adult Reading Program. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

7. To consider, discuss and take any necessary action to approve the Gaines County Library to become a member of the Partner's Library Action Network and the Texas Library Association.

Commissioner Elder made a motion to approve the Gaines County Library to become a member of the Partner's Library Action Network-\$468.00 and the Texas Library Association-\$704.00 as presented. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any necessary action to approve change order 1A with First Choice Construction for the Library Parking Lot. Total Cost: \$14,300.

Commissioner Murphree made a motion to approve the change order 1A with First Choice Construction for the Library Parking Lot on the South side at a cost of \$14,300.00
Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

9. To consider, discuss and take any necessary action to approve change order 2A with First Choice Construction for the Library Parking Lot. Total Cost: \$23,725.00

Commissioner Murphree made a motion to approve change order 2A with First Choice Construction for the library parking lot as follows: 1) \$23,725.00 on the west side strip that runs north and south to add concrete and 2) \$6,400.00 the north side of the health department and fill that area with concrete with a total cost of \$30,125.00 to be paid out of ARPA funds.
Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

10. To consider, discuss and take any necessary action on a request from Margaret Banman to sell airplane hanger A-5 to Jake Peters, Jarp Properties, LLC.

This item was tabled awaiting paperwork.

11. To consider, discuss and take any necessary action to accept Travelers insurance settlement for Sheriff's unit #S110. \$25,722.00

Commissioner Rosson made a motion to accept the Travelers insurance settlement for the Sheriff's Unit #S110 (2019 Tahoe) in the amount of \$25,722.00. Commissioner Elder seconded the motion. Motion carried unanimously.

12. To consider, discuss and take any necessary action to approve the purchase of a pickup from Sewell in Andrews for Precinct. 2. Total Cost: \$56,470.92

Commissioner Elder made a motion to approve the purchase of a 2024 RAM pickup from Sewell in Andrews for Precinct 2 in the amount of \$56,470.92. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

13. To consider, discuss and take any necessary action on a Routine Airport Maintenance Program grant from the Texas Transportation Commission.

Commissioner Murphree made a motion to approve the Routine Airport Maintenance Program grant from the Texas Transportation Commission of \$100,000.00 with the grant being 90/10. Commissioner Rosson seconded the motion. Motion carried unanimously.

14. To consider, discuss and take any necessary action on a request for final reimbursement of \$620.85 for materials purchase for CR 1071 in Precinct 1 on the 2020 TXDOT CTIF Grant.

Commissioner Rosson made a motion to approve a request for the final reimbursement of \$620.85 for materials purchased for CR 1071 in Precinct 1 on the 2020 TxDot CTIF Grant. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

15. To consider, discuss and take any necessary action on a quote from Atmos Energy to install gas lines at the Emergency Operations Center. Total Cost: \$12,691.00

Commissioner Rosson made a motion to approve a quote from Atmos Energy to install gas lines at the EOC at a cost of \$12,691.00 for a generator. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on plans with Metro to install manholes to clean out water line in Precinct 3.

This item was tabled as they are not able to do the depth required by commissioners court and are working with their engineers.

17. To consider, discuss and take any necessary action on purchasing trees for the Gaines County Golf Course using ARPA funds.

Commissioner Rosson made a motion to approve the purchase of trees for the Gaines County Golf Course from Olive Branch in Seagraves at a cost of \$20,000.00 using ARPA funds. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

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

Commissioner Rosson made a motion to approve the following plats:

Meadow Vista in Precinct 4 by Theodore Wiebe

Oliver Estates in Precinct 2 by Franz Froese

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

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

None

20. 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- She stated the radio at the EOC would be installed next week. Ronnie Pipkin, Sheriff stated there are issues with the flooring at the jail in the cells and tiles are lifting. He will get this issue resolved out of building fund.

Commissioner Murphree stated he received an email from TxDot Aviation they have approximately \$12 million in grant money and will rebuild existing run way and taxi way at 90/10.

21. Adjourn;

Commissioner Elder made a motion for the meeting to adjourn. Commissioner Rosson seconded the motion.

Motion carried unanimously.

The meeting adjourned at 10:14a.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 November 21, 2023.



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