

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON FEBRUARY 1, 2023 AT 9:00 A.M. THE COUNTY JUDGE PRO TEM COMMISSIONER HOUSTON 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

COUNTY CLERK

9:00 am Regular Meeting:

1. Call to order, invocation, pledge
Commissioner Houston, Judge Pro Tem called the meeting to order with a prayer and pledges of allegiance.
2. Public Forum: Open the floor for public forum. (Public comments and presentations will be limited to a maximum of three (3) minutes, unless a member of the court requests additional time for the presenter.)
None
3. Discuss routine administrative items: take action as appropriate;
 - 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. Renewal of routine annual service and similar agreement(s)
 - i. Auditor - Real Vision Software \$3,300.00 (Annual 03/2023-02/2024)
 - ii. Technology - Computacenter – Cloud Security/Viral Protection \$3,226.08 (Annual 03/2023-02/2024)
 - h. Non-capital surplus or salvage

g) Commissioner Murphree made a motion to approve the renewal contract with Real Vision Software in the amount of \$3,300.00. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

g) Commissioner Rosson made a motion to approve the renewal contract with Computacenter in the amount of \$3,226.08. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

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

4. Consider updating and renewing an Interlocal Agreement with the City of Seminole to use Gaines County ROW in Precinct 3 to bring fresh water to the water treatment plant in the City of Seminole; take action as appropriate.

Commissioner Rosson made a motion to approve the Interlocal Agreement with the City of Seminole to use the Gaines County ROW in Precinct 3 to bring fresh water to the water treatment plant. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

5. Consider updating and renewing the Interlocal Agreement with the City of Seminole for Gaines County to acquire effluent water for use at the Gaines County Golf Course; take action as appropriate.

Commissioner Elder made a motion to approve renewing the Interlocal Agreement (no change) with the City of Seminole for Gaines County to acquire effluent water for use at the Gaines County Golf Course. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

6. Consider approval of the Racial Profiling report from the Sherriff; take action as appropriate.

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

7. Consider approval of quarterly investment report; take action as appropriate

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

8. Consider approval of updating the resolution and welcome page for Gaines County Employee Handbook; take action as appropriate

Commissioner Rosson made a motion to approve the updated resolution and welcome page for the Gaines County Employee Handbook as presented by Michael Lord, Treasurer. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

9. Consider approval of Affordable Care Act Reporting and Tracking Services renewal with Texas Association of Counties; take action as appropriate

Commissioner Elder made a motion to approve Michael Lord, Treasurer to sign the Affordable Care Act Reporting and Tracking Services renewal contract with TAC. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

10. Consider approval of Auditor's Department to purchase IBM equipment for \$5,044.09; take action as appropriate.

Esmeralda Felan, Auditor stated she is currently in the process of finding a new financial software system for the Auditors office. She stated the IBM equipment currently being used will need to be leased or purchased as the retention records have to be kept for 5 years. She stated it would be less expensive to purchase the equipment. Commissioner Murphree made a motion to approve purchasing the IBM equipment currently in use in the Auditors office in the amount of \$5,044.09. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

11. Consider approval of a part-time position for the Seagraves Library; take action as appropriate

Sabra Hall, Library Director stated the summer help had not worked out and would like to hire a part-time position for the Seagraves Library. Esmeralda Felan, stated there would be no change in the budget to hire this part-time position. Commissioner Murphree made a motion to approve hiring a part-time position for the Seagraves Library. Commissioner Rosson seconded the motion. Motion carried unanimously.

12. Consider approval of the purchase of a HP DesignJet T730 Printer for \$3,466.14; take action as appropriate.

Scott Shorter, IT Director stated he had numerous request for copies of maps & plats, etc. and there is nothing current available to do copies on this scale. Commissioner Elder made a motion to approve the purchase of a HP DesignJet T730 Printer in the amount of \$3,466.14. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

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

None

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

None

15. 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,

- a. For court records, Cindy Therwhanger and Josh Elder has completed the required training for Open Meetings Act and Public Information Act.
- b. Commissioner Elder stated he will be replacing the old burning heater and updating various other items in Precinct 2.
- c. Esmeralda Felan, Auditor stated Davis, Ray & Company would be present at the next commissioner court meeting to present the outside auditor report.
- d. Commissioner Murphree stated paying of the balance we owe to the City to acquire effluent water to use at the Gaines County Golf Course. Esmeralda Felan, Auditor stated if we continued to make the payments remaining it would be a cost of approximately \$735,600.00 and if we paid off the current balance it would be a cost of approximately \$700,000.00. This item will be place on the next commisisoners court agenda.
- e. Scott Shortes, Director stated the panic buttons are working and have been tested and will go live next week.

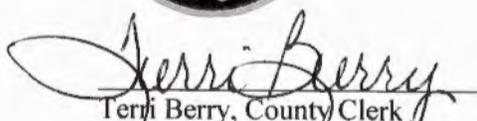
16. Adjourn;

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

The meeting adjourned at 9:37a.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 February 2, 2023.




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



Persons who do not wish to attend the Gaines County Commissioners' Court Meeting in person may join by telephone by calling 1-346-248-7799 and entering Meeting ID No. 734-496-7222.

Or a member of the public may join the meeting online by going to www.zoom.us and entering the Meeting ID No. 734-496-7722.

In accordance with Title III of the American with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the meeting you wish to attend.

As authorized by the Texas Government Code, the Commissioners' Court of Gaines County, Texas reserves the right to adjourn into Executive Session for any purpose authorized by Chapter 551 of the Texas Government Code or other authority.

- Texas Government Code Section 551.07(1). Consultation with Attorney about pending and contemplated litigation or settlement offers.
- Texas Government Code Section 551.129(2) (Consultation with attorney)
- Texas Government Code 551.072 (Deliberations about Real Property)
- Texas Government Code 551.073 (Deliberations about Gifts and Donations)

- Texas Government Code 551.074 (Personnel Matters)
- Texas Government Code 551.076 (Deliberations about Security Devices)
- Texas Government Code 551.087 (Economic Negotiations)

In the event that the court adjourns into Executive Session unless otherwise specified on the agenda, the Court will announce what section of the Texas Government Code the Commissioners Court is using as its authority to inter to Executive Session.

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON FEBRUARY 9, 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

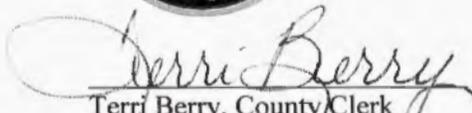
COUNTY CLERK

9:00 am Special Meeting:

1. Call to order, invocation, pledge
Judge Therwhanger called the meeting to order with a prayer and pledges of allegiance.
2. EXECUTIVE SESSION: In accordance with Texas Government Code 551.071 and/or 551.129 meet with Bustos Law Firm to discuss proposed changes to the Gaines County Subdivision and Manufactured Home Rental Community Regulation Commissioners Court went into Executive Session at 9:02a.m.
3. OPEN SESSION: Consider potential changes to the Gaines County Subdivision and Manufactured Home Rental Community Regulation, dated February 19, 2020, consider the process(es) which may be required to effect the changes if desired; take action as appropriate
Commissioners Court went into Open session at 10:58a.m., no action taken.
4. Adjourn;
Commissioner Rosson made a motion for the meeting to adjourn. Commissioner Houston seconded the motion. Motion carried unanimously.
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 February 9, 2023.




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

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- Texas Government Code 551.073 (Deliberations about Gifts and Donations)
- Texas Government Code 551.074 (Personnel Matters)
- Texas Government Code 551.076 (Deliberations about Security Devices)
- Texas Government Code 551.087 (Economic Negotiations)

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STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON FEBRUARY 15, 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

COUNTY CLERK

9:00 am Regular Meeting:

1. Call to order, invocation, pledge
Judge Therwhanger called the meeting to order with the pledge of allegiance and the prayer being given by Joe Nagy, County Attorney.
2. Public Forum: (Public comments and presentations will be limited to a maximum of three (3) minutes unless a member of the court requests additional time for the presenter.

None

3. Discuss routine administrative items: take action appropriate
 - 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. Renewal of routine annual service and similar agreement(s)
 - i. Auditor – Computacenter Pivot Technology Services - \$4,734.46
 - ii. Sherriff – Guardian RFID - \$4138.25
 - h. Non-capital surplus or salvage

Commissioner Murphree made a motion to approve the annual renewal contract with Computacenter in the amount of \$4,724.46, Guardian RFID in the amount of \$4,138.25 and the routine administrative items as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

4. Consider approval of tournament requests; take action as appropriate
Commissioner Rosson made a motion to approve the tournament request at the Golf Course as presented by Shaun McDonald, Golf Pro. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)
5. Update from Public Health Department concerning a public health complaint at a residence identified as BLK G SEC 127 WTRR CO TOWN & COUNTRY ESTATES W/2 W/2 TR 82 to determine if the location has been cleaned up and meets the standards for the Health Department.
Judge Therwhanger stated she has been in contact with Aide Villa. Mrs. Villa stated the individual who was to clean up her lot had become sick and she will have this issue taken care of by March 1, 2023. No action taken

6. Meet with Davis & Ray to receive fiscal year audit 2022; take action as appropriate.
Ted Ward, CPA, Davis, Ray & Co., P.C. presented the fiscal year 2022 audit report. He stated the county was in great financial state and the audit was highly praised. Commissioner Houston made a motion to approve the 2022 fiscal year audit as

presented by Ted Ward, David, Ray & Co. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

7. Consider approval of inter-local agreement with Yoakum County for housing of inmates; take action as appropriate

Commissioner Rosson made a motion to approve the Interlocal agreement with Yoakum County for housing of inmates as presented by Ronnie Pipkin, Sheriff. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

8. Consider approval of BuyBoard purchase of John Deere 644 G Wheel Loader for Precinct 2; take action as appropriate

Commissioner Elder made a motion for the approval of a BuyBoard purchase of a John Deere 644 G Wheel Loader for Precinct 2. Commissioner Houston seconded the motion. Motion carried unanimously.

9. Open bids for caliche; take action as appropriate.

Commissioner Rosson made a motion to approve the one bid received for caliche from Peter Letkeman at \$4.50 per yard for crushed caliche and loading. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

10. Open bids for Emergency Operations Center, take action as appropriate.

The following proposals were received for the EOC:

- First Choice Construction-\$719,088.00, \$24,800.00 Fire Suppression
- Oprex Construction- \$769,500.00
- Seminole Home Improvement - \$599,986.00
- Henthorn Commercial Construction-\$640,000.00, \$42,000.00 Fire Suppression

Commissioner Rosson made a motion to authorize Wayne Gondeck, DRG Architects LLS to evaluate all proposals and to give his evaluation review at the March 1, 2023 Commissioner Court. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

11. Discuss ARPA funds; take action as appropriate

Commissioner Houston stated he had met with Terry Millican, Ag/Extension, at the Ag Farm and did a walk through of all things needing repaired or replaced per the attached list from Terry Millican. Commissioner Murphree stated the cart paths and sheds at the Golf Course were in need of repair or replacement. He also stated there was a need for infrastructure items to be addressed before any percentages were allotted to departments. Esmeralda Felan, Auditor, presented the updated ARPA fund balance. (see attached)

12. Receive a report from the County Auditor concerning legislative changes in criminal fines and fees for all courts, District, County, and Justice, consider authorizing the Auditor to make changes to the current budget to comply with recent legislation; take action as appropriate

Commissioner Houston made a motion to authorize the Auditor to make changes to the current budget for criminal fines and fees regarding the 87th Legislation for County & District Clerks and create GL and State fee codes for the LGS software. Commissioner Elder seconded the motion. Motion carried unanimously.

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

None

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

Commissioner Houston made a motion to approve a road crossing from Zion Broadband on CR 402 as presented by Commissioner Houston. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

May be discussed and acted upon, if appropriate, in open session:

Security – Pursuant to Chapter 551.076: To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Executive session began at 10:12a.m.

Open session began at 10:28a.m.

Commissioner Elder made a motion to disable audio from the security system. Requests for audio must be approved by the County Judge or Sheriff. In addition, all video and audio recordings are intended for security purposes and should be for authorized county use only. A request for an audio and /or video recording must be submitted to the County Judge or Sheriff for approval. Commissioner Rosson seconded the motion. Motion carried unanimously.

16. 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,

Commissioner Elder stated he had been contacted by an individual interested in starting Frisbee Golf in Gaines County and will be meeting with him regarding this matter.

Commissioner Rosson and Commissioner Murphree stated there is going to upcoming issues with mailboxes and dumpsters being on the county ROW and dumpsters should be put back on private property and not on the county property. Commissioner Rosson stated the mailbox placement is Federal and State property. Judge Therwhanger stated she would reach out to other counties and addresses these issue to see if they have policies in place.

Esmeralda Felan, Auditor stated she will be gone at the next commissioners court as she will be attending an investment school.

Scott Shortes, IT Director, stated the Cyber Security course is coming up and he will place it on the Agenda for approval.

17. Adjourn;

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

The meeting adjourned at 10:42a.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 February 15, 2023.



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



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- Texas Government Code 551.072 (Deliberations about Real Property)
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