



STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON July 5 , 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:

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 June 7, 2023 and June 21, 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.

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

3. To consider, discuss, and take any necessary action on accepting a donation for the Sheriff's Office.

Commissioner Murphree made a motion to approve the donation from Rex and Deborah Darby in the amount of \$500 for the Sheriff's Department which will be used to purchase the candy for the trunk or treat. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

4. To consider, discuss, and take any necessary action on approving Delia Grisham to purchase gift cards for Character Camp.

Commissioner Murphree made a motion to approve the purchase of 9 gift cards (1-\$25, 1-\$50, 1-\$75, 2-\$10, 2-\$15 & 2-\$20) by Delia Grisham, Juvenile Probation for the Character Camp door prizes. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

5. To consider, discuss, and take any necessary action on transferring equipment from Maintenance to Precinct 1.

Commissioner Elder made a motion to authorizing the transfer of Units #1733, #1734, #1737 & #3267 from the Maintenance department to Precinct 1. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

6. To consider, discuss, and take any necessary action on bids received for water sprinkler system at the south cemetery.

Commissioner Houston made a motion to approve the one bid received from SouthWest Contracting & Construction for the sprinkler system at the South Cemetery in the amount of \$96,070.00 to be paid out of ARPA funds. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

7. To consider, discuss, and take any action on building rental policy agreement.

This item was tabled until July 19th Commissioner Court for Judge Therwhanger to make changes regarding dances held in the buildings only per commissioner court approval.

8. To consider, discuss, and take any action on a bid submitted by Wilhelm Loewen and Tina Froese Loewen for the purchase of R61023, A 0.28 acre tract of land located in a portion of Lot 8, Block M and a portion of Railroad Avenue (closed), Original Town of Seagraves, Gaines County, Texas more commonly known as 1116 Railroad Avenue. Bid amount: \$20,000.00

Commissioner Murphree made a motion to accept the bid in the amount of \$20,000.00 where the funds are in holding by Texas Community Group and approve the purchase of 0.28 acre tract of land located in a portion of Lot 8, Blk M. OT as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

9. To consider, discuss, and take any necessary action on subdivision application(s), take note of known exceptions, consider any requests for variances.

Commissioner Murphree made a motion to approve a variance from Maria Peters to install a septic tank on 848 Hwy. 83E Loop Tx (less than 1 acre) in Precinct 1. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

10. To consider, discuss, and take any action on current road crossing request(s).

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.

Commissioner Murphree stated there is an issue with the temporary water pipeline that was addressed on June 8, 2022 commissioners court meeting where an agreement was made. He stated there is an issue with that company and this would possibly be placed on the agenda in the future.

Esmeralda Felan, Auditor stated the initial software conversion update and transfer for the Auditor and Treasurer's should take place within the next 60 days.

Susan Murphree, District Clerk stated with the new Legislation there was a change to the Bill #3474: payment for jury duty would be increased to \$20 for showing up and \$58.00 if served on the jury. She suggested rounding the amount to \$20 and \$60. This item will be placed on the agenda for approval.

Michael Lord, Treasurer stated at this time he has \$5,000.00 on reserve in his safe that is paid out to jurors however he would need that amount increased to possibly \$10,000.00 with the increase in bill #3474.

12. Budget workshop – the following items provide a framework for discussions but should not be considered to limit discussions that may arise.

- a. Review Salary Proposals

A 6% raise was discussed and the auditor will present current totals from the other entities once she receives them, so the commissioners will have a better view of the cost effectiveness of a 6% raise to all employees

- b. Longevity

Longevity is to remain as current policy states and is approved

- c. Annual policies and/or procedures

Raises to retirees is tabled for further discussions

Up to \$15.00 an hour for part time employees is to remain as current policy states

Cell Phone allowances and per diem allowances are to remain as current policy states and are approved.

d. Holiday Schedule

The Fiscal Year 2014 calendar was approved with 16 holidays. (see attached)

13. Adjourn;

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

The meeting adjourned at 10:35a.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 July 5, 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 EMERGENCY MEETING ON JULY 19, 2023 AT 8:50 A.M. THE COUNTY JUDGE CINDY THERWHANGER PRESIDING AND THE FOLLOWING MEMBERS OF THE COURT IN ATTENDANCE.

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

TERRI BERRY COUNTY CLERK

EMERGENCY COURT MEETING
NOTICE TO THE PUBLIC

Pursuant to Chapter 551, Texas Government Code, written notice is hereby given of a Emergency Meeting of the Commissioners' Court of Gaines County, Texas to be held at 8:50 o'clock A.M. on the 19th day of July, 2023, at the Commissioners' Courtroom, Courthouse, Seminole, Gaines County, Texas, that notice of such meeting was posted the 19th day of July 2023, the agenda at said meeting consists of the following:

1. Consider approving a discretionary exemption with local government code 262.024 to purchase a security door and camera system for Gaines County Jail.

Ronny Pipkin, Sheriff stated the security system crashed Monday, July 17th and he had received a quote from Sustainable Security Solutions for locks in the amount of \$218,773.00. He stated it will be 3-4 weeks procurement and in house assembly and 1-2 weeks installation, test and commissioning. Commissioner Houston made a motion to approve a contract to use Sustainable Security Solutions for the locks in the jail for security in the amount of \$218,773.00. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

2. Adjourn;

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

The meeting adjourned at 8:57a.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 July 19, 2023.



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

STATE OF TEXAS

COUNTY OF GAINES

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JOSH ELDER	ABSENT	COMMISSIONER PRECINCT #2
DAVID MURPHREE		COMMISSIONER PRECINCT #3
BIZ HOUSTON		COMMISSIONER PRECINCT #4

TERRI BERRY	COUNTY CLERK
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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.
2. 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 June pursuant to Local Government Code 114.004 and Texas Government Code 51.042.
 - d. Discuss, consider and/or approve renewal contracts:

Fresche Solutions \$5081.73

Commissioner Rosson made a motion approve the routine administrative items as presented and the contract with Fresche Solutions in the amount of \$5,081.173.

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

3. To consider, discuss, and take any necessary action on an Inter-local agreement with South Plains Public Health Department for office space in Seagraves.

Commissioner Murphree made a motion to approve the Interlocal agreement with South Plains Public Health Department as presented by Zack Holbrooks, Director, for office space in Seagraves at 210 Appleton (old SPS building). Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)
4. To consider, discuss, and take any necessary action on accepting road 108-H in Precinct 1 as a county road.

Commissioner Rosson made a motion to accept road 108-H in Precinct 1 as a county road. Commissioner Houston seconded the motion. Motion carried unanimously.
5. To consider, discuss, and take any necessary action on approving the County Clerks records archive fee plan.

Commissioner Rosson made a motion to approve the County Clerks records archive fee plan as presented by Terri Berry, County Clerk. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)
6. To consider, discuss, and take any necessary action on approving the application for Unclaimed Property Capital Credits for Counties from the Texas Comptroller of Public Accounts.

Commissioner Rosson made a motion to approve the application for Unclaimed Property Capital Credits for Counties from the Texas Comptroller of Public Accounts as presented by Judge Therwhanger. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

7. To consider, discuss, and take any necessary action on approving an Inter-local Agreement for 911 Services with Permian Basin Regional Planning Commission.

Commissioner Houston made a motion to approve an Interlocal agreement for 911 services with Permian Basin Regional Planning Commission as presented. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss, and take any necessary action on purchasing two tractors from John Deere for Precinct 1. (Buyboard Purchase)

Commissioner Murphree made a motion to authorize the Buyboard purchase of 2 tractors from John Deere for Precinct 1 in the amount of \$201,543.00. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

9. To consider, discuss, and take any necessary action on a rebuild of a 148H Maintainer for Precinct 3 from CAT (BuyBoard Purchase).

Commissioner Rosson made a motion to approve the rebuilding of a 148H Maintainer for Precinct 3 from CAT in the amount of \$200,643.23. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

10. To consider, discuss, and take any necessary action on going for bids for materials for Precinct 3 shop porch extension using insurance funds.

Commissioner Murphree made a motion to go out for bids for materials for Precinct 3 shop porch extension using the insurance funds with bids turned in August 15, 2023 by and opened August 16, 2023. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

11. To consider, discuss, and any necessary action on going for bids for materials for Precinct 3 equipment bay extension using insurance funds.

Commissioner Houston made a motion to go out for bids for materials for Precinct 3 equipment bay extension using insurance funds with bids turned in by August 15, 2023 and opened August 16, 2023. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

12. To consider, discuss, and any necessary action on going for bids for materials for Gaines County Airport for equipment cover lean to using insurance funds.

Commissioner Rosson made a motion to go out for bids for materials for Gaines County Airport for equipment cover lean to use insurance funds with bids turned in by August 15, 2023 and opened August 16, 2023. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

13. To consider, discuss, and take any necessary action on declaring salvage for the South Cemetery.

Commissioner Rosson made a motion to declare as salvage Unit #CM 157 2019 Kawasaki for the South Cemetery. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

14. To consider, discuss and take any necessary action on a 90/10 grant application in budget year 2024 for the replacement of an AWOS system at the Gaines County Airport.

Commissioner Rosson made a motion to approve the 90/10 grant application in budget year 2024 for the replacement of an AWOS system at the Gaines County Airport in the amount of \$125,000.00 paid out of capital project refund (90% refunded to the county by the state and 10% paid by county) Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

15. To consider, discuss, and take any necessary action on a request from the District Attorney to pay NMS Lab expenses for Gaines County DPS. Total Cost: \$424.00

Commissioner Houston made a motion to authorized the payment of \$424.00 to NMS Lab Expenses for the Gaines County DPS as presented. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on revisions to Building Policy Rental Agreement.

Commissioner Murphree made a motion to approve the revisions to the Building Policy Rental Agreement as presented by Judge Therwhanger. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

Commissioner Murphree made a motion to approve the Pecan Ridge East Subdivision # 219 in Precinct 2. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

Commissioner Rosson made a motion to approve a variance from Jorge Martinez at 2571 PR 200-I in Precinct 2. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

18. Consider current road crossing request(s); take action 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

Susan Shaw, Tax Assessor Collector, stated from the Legislative Bill #577 the can no long charge the county portion of alcohol or tobacco fee in regards to TABC. This item will be placed on the agenda for further discussion and approval.

Commissioner Murphree stated he listened to the commissioner court tape regarding the authorization of a temporary pipeline for 3-6 months for Metro Water and its been over a year and it needs to be permanent or removed. This item will be placed on the agenda for further information and discussion.

Judge Therwhanger stated Nick Castillo, Maintenance, has 2 pickups that are not in use and that are available for use for other county employees. She state the air conditioner was out on the 3rd floor but has since been fixed and the water well at the Gold Course had gone out but was also fixed. She also stated the signs that needed replaced at the Golf Course have been updated and replaced.

Commissioner Murphree stated that 50% of the slabs at the Golf Course are complete.

20. Budget workshop – the following items provide a framework for discussions but should not be considered to limit discussions on other budget issues that may arise.

a. District Attorney Budget Request – Philip Mack District Attorney stated at this time he had a spreadsheet completed but had noticed errors and would present it once it is corrected. He stated he would turn in his regular budget request and add new positions with a \$5.00 line item. He at this time he is waiting on the SB 22 to pass for guidance as to properly turn in accurate numbers. He stated his budget would be at a \$128,00.00 increase from last year due to population growth in Gaines County.

b. Esmeralda Felan, Auditor stated no numbers have been turned in from other entities therefore she could not give final budget numbers and tax rate.

Commissioners approved a 6% raise for all fulltime employees and part time employees which would be a pay of up to \$16 an hour for part time employees.

21. Adjourn;

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

The meeting adjourned at 10:47a.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 July 19, 2023.



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

