

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON OCTOBER 11, 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. Gloria Zacharias was introduced as the new Probation officer
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 September 13, 2023 and September 27, 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. Moore Haralson Insurance - \$5686.94 (4-H Facility, Shooting Sports & Rodeo Arena)
 - ii. Hart Intercivic - \$3,720.00Commissioner Rosson made a motion to approve the routine administrative items, renewal contracts on Moore Haralson Insurance in the amount of \$5,686.94 and Hart Intercivic in the amount of \$3,720.00. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)
3. Meet with Shawntay Pettyjohn concerning Chamber of Commerce events.
Shawntay Pettyjohn, Chamber of Commerce stated there was great success with the Experience Seminole event and the next event would be Snow Place Like Home, November 10th & 11th. She stated how much the Chamber appreciates the county and the use of the Civic Building to hold these events. (see attached)
4. To consider, discuss and take any necessary action on accepting a resignation from a board member of the Northeast Gaines County Emergency Services District.
Commissioner Rosson made a motion to accept the resignation of Derek Sellers from the Northeast Gaines County Emergency Services District. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)
5. To consider, discuss and take any necessary action to appoint a board member for the Northeast Gaines County Emergency Services District.
Commissioner Murphree made a motion to appoint Scott Sellers as a board member for the Northeast Gaines County Emergency Services District. Commissioner Houston seconded the motion. Motion carried unanimously.

6. To consider, discuss and take any necessary action on adding Addison Espinoza as a flight instructor at the Gaines County Airport.

This item was tabled to review his license and insurance which was turned into the County Attorney.

7. To consider, discuss and take any necessary action on submitting a request for bids for rock crushing.

- a. If approved, bids will be due by November 7th, open bids on November 8, 2023.

Commissioner Murphree made a motion to go out for bids on pit run caliche with bids to be turned in November 7th and opened November 8th. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any necessary action on requesting bids for lights at the walking park in precinct 3.

- a. If approved, bids will be due by November 7th, open bids on November 8, 2023.

Commissioner Elder made a motion to go out for bids for LED lights at the South Cemetery walking path in Precinct 3 with bids turned in November 7th and opened November 8th. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

9. To consider, discuss and take any necessary action on the County maintaining and taking ownership of the Gaines County Veterans Memorial site.

Commissioner Rosson made a motion for the County to maintain and take ownership of the Gaines County Veterans Memorial site with the County Attorney preparing a deed to transfer property from the City to the County. Commissioner Houston seconded the motion. Motion carried unanimously.

10. To consider, discuss and take any necessary action on the 2024 Gaines County Resolution Indigent Defense Grant Program.

Judge Therwhanger read aloud the Gaines County Indigent Defense Grant Program Resolution. Commissioner Houston made a motion the approve the Indigent Defense Grant Program Resolution with the grant period October 1, 2023 – September 20, 2024. Commissioner Rosson seconded the motion. The motion carried unanimously. (see attached)

11. To consider, discuss and take any on purchasing two Ex/Mark 72” mowers from Watermaster Irrigations Supply for Precinct. 4. TOTAL Cost: \$33,078.26

Commissioner Elder made a motion to approve the purchasing of 2 Ex/mark 72” mowers from Watermaster Irrigations Supply for Precinct 4 in the amount of \$33,078.26 less \$10,300.00 from the sale of 2 mowers to the City, with the balance to be paid out of Precinct 4 equipment line. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

12. To consider, discuss and take any necessary action on the purchase of a pickup for Precinct 2 from Sewell in Andrews, TX. Total Cost: \$56,500.92

Commissioner Rosson made a motion to approve the purchase of a pickup for Precinct 2 from Sewell in Andrews, Texas in the amount of \$56,500.92. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

13. Open bids for paving the Gaines County Library & Museum, South Plains Health Department; take any necessary action.

The following 3 bids were received:

- 1st Choice Construction - \$246,740.00
- Daily Superior Asphalt - \$198,000.00
- Danny’s Asphalt - \$233,496.00

Commissioner Murphree made a motion to approve the bid from 1st Choice Construction in the amount of \$246,740.00 pending performance bond and insurance being turned in and to be paid out of ARPA funds.. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

14. Open bids for paving the Gaines County Courthouse; take any necessary action.

The following 3 bids were received:

- Danny's Asphalt - \$282,450.00
- Daily Superior - \$182,900.00
- 1st Choice Construction - \$257,114.00

Commissioner Elder made a motion to approve the bid from 1st Choice Construction in the amount of \$257,114.00 pending performance bond and insurance being turned in and to be paid out of ARPA funds. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

15. To consider, discuss and take any necessary action on the additional cost with Warren Cat for the rebuilding of a 148H Maintainer for Precinct 3.

a. Original quote approved on July 19, 2023: \$200,643.23 / Overage Amount: \$38,637.14.

Commissioner Murphree made a motion to approve the additional cost with Warren Cat for the rebuilding of a 148H maintainer for Precinct 3 and the auditor to edit the amount to pay. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on renewing the contract for the website for the golf course.

Commissioner Rosson made a motion to approve renewing the contract for the website for the golf course with a name change to HG Creative LLC as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

17. Consider current subdivision application(s); take action as appropriate,

None

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.

Judge Therwhanger: The roof project is completed. The dishwasher for the Sr Citizen Center is ready to be installed but with a lot of sickness with the installation company this was put on hold. There is an issue with the flooring at the trailer house at the Golf Course and she will get with Nick Castillo, Maintenance to address this issue. Texas A & M Conference is approaching and if any commissioners are wanting to attend she will have anyone wanting to attend registered. The old house at the Gaines County Park/Golf Course will be removed by November 1st and the old bathrooms torn down and the old sign removed. This item will be put on the October 25th agenda.

Commissioner Rosson: Cindy Durham donated trees from the Olive Branch to the Seagraves Library and will have them planted and the Olive Branch donated 2 additional trees that will also be planted.

Commissioner Elder: There have been complaints and issues brought up regarding the marking of cemetery plots and this issue needs addressed within the policy. The funeral homes have issues with burials in the proper plots and this issue needs to be addressed and coordinated in a more appropriate way. He stated there is approximately \$80,000 remaining of the insurance money in his funds and he will be doing more upgrading in Precinct 2.

Commissioner Murphree: The additional building by the new EOC on one side has a lift where possibly minor county vehicle maintenance (oil change, breaks, etc) can be done if proper changes were made. This would be cost effective for the county. He also stated there would be a need to hire an additional employee to run this type of work.

Esmeralda Felan, Auditor: She has received a list of all buildings that Moore Haralson now insure. Her and her staff will be performing an audit of the buildings and if they are currently in use.

Commissioner Houston: When LED lights were installed at the rodeo arena they compared the wattage use from regular bulbs to LED and the cost savings was so worth the LED lights.

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

Executive session begin at 10:10a.m.

Open session began at 11:20a.m. no action taken


21. Adjourn

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

The meeting adjourned at 11:21a.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 October 11, 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 OCTOBER 25, 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
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TERRI BERRY

COUNTY CLERK

9:00 am Regular Meeting:

Call to Order-Judge Cindy Therwhanger
Invocation
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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

Judge Therwhanger introduced the new employee, Kasie Taylor, Court Coordinator

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 September pursuant to Local Government Code 114.004 and Texas Government Code 51.042.
 - d. Discuss, consider and/or approve renewal contracts:
 - Computacenter - \$612.26

Commissioner Rosson made a motion to approve the routine administrative items and the contract with Computacenter in the amount of \$612.26. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

3. To consider, discuss and take any necessary action to approve a Jury Selection Plan for the District Court pursuant to Texas Government Code Chapter 62.

Commissioner Murphree made a motion to approve the Jury Selection Plan for District Court as presented by Susan Murphree, District Clerk. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

4. Update from Veteran's Services Officer Johnny Hernandez concerning plans for Veteran's Day, November 11th.

Johnny Hernandez, Veterans Director stated The Veterans Day public ceremony honoring those who served will be held at the Gaines County Veterans Memorial Park on November 11th from 10:00a.m. – 10:45a.m.. The High School band, motorcycle club, speaker (Tom Keyes) and the keys to the city given to Lori Escabeto will be some activities held. There will be refreshments at the Catholic Church. He stated the newspaper and radio station have been contacted for advertisement and on November 11th flags will be placed in front of the cemeteries. He also stated he has a Facebook page, Seminole Rise Up for military and 1st responders and welcomed anyone to join.

5. Discuss and consider approving a resolution for Gaines County to join the National Association of Counties in Operation Green Light by displaying green lights at the courthouse from November 6-12, 2023. (see attached)

Johnny Hernandez, Veterans Director stated the National Association of Counties in Operation Green light is for 3,069 counties. Commissioner Elder made a motion to approve a Resolution for Operation Green Light for Gaines County. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

6. To consider, discuss and take any necessary action on a request for use of Chapter 19 funds for the election department.

Patricia Roberson, Election Administrator, stated she had to purchase 6 more poling pads for curbside voting she requested to use unfunded mandate funds to replace this purchase from her office supplies. Esmeralda Felan, Auditor stated the county would pay and then be reimbursed from the state. Commissioner Rosson made a motion to approve the request to use unfunded mandate funds for the Election department. Commissioner Elder seconded the motion. Motion carried unanimously.

7. Discuss and consider approving the Gaines County Tax Roll for 2023.

Commissioner Murphree made a motion to approve the Resolution for the Gaines County Tax Roll for 2023 as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

8. To consider, discuss and take any action necessary to approve the quarterly investment report.

Michael Lord, Treasurer stated this item needs to be placed on next month's agenda, therefore no action taken.

9. To consider, discuss and take any necessary action to add 14 car video systems to the Verizon contract for the Sherriff's Office at the cost of \$531.86 per month.

Commissioner Elder made a motion to authorize adding 14 car video systems to the Verizon contract for the Sheriff's Office in the amount of \$531.86 per month, with funds taken out of the IT department's internet line. Commissioner Murphree seconded the motion. Motion carried unanimously. (se attached)

10. Discuss and consider authorizing Davis, Ray & Co., PC to perform the annual audit for Gaines County for the year ending September 30, 2023.

Commissioner Rosson made a motion authorizing David, Ray & Co. PC to perform the annual audit for Gaines County for the year ending September 30, 2023. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

11. Discuss and consider authorizing Davis, Ray & Co., PC to perform the annual audit for the Seagraves Senior Citizens Center, Inc. for the year ending September 30, 2023.

Commissioner Rosson made a motion authorizing Davis, Ray & Co. PC to perform the annual audit for the Seagraves Senior Citizens Center, Inc. for the year ending September 30, 2023.

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

12. Discuss and consider authorizing Davis, Ray & Co., PC to perform the annual audit for the Gaines County Juvenile Probation Dept. for the year ending September 30, 2023.

Commissioner Rosson made a motion authorizing Davis, Ray & Co. PC to perform the annual audit for the Gaines County Juvenile Probation Dept. for the year ending September 30, 2023. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

13. Discuss and consider approval of plans for demolition of the house at the golf course.

Commissioner Murphree made a motion to approve the demolition of the house at the golf course and to be done in house and hauled to Precinct 1 pit. Commissioner Rosson seconded the motion. Motion carried unanimously.

14. Discuss and consider approval of plans for demolition of the old bathrooms and stage area at the Gaines County Park.

Commissioner Rosson made a motion to approve the demolition of the old bathrooms and stage area at the Gaines County Park. Commissioner Elder seconded the motion. Motion carried unanimously.

15. Open bids for pickups for Gaines County, take action as appropriate.

None received, therefore, the policy states each commissioner can find the best value and price for a pickup and present to court for approval.

16. To consider, discuss and take any necessary action on individual contracts for juvenile residential services.

a. Father Flanagan's Boys' Home

Commissioner Rosson made a motion to approve the contract for juvenile residential services with Father Flanagan's Boys Home as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

17. Consider current subdivision application(s), also consider any exceptions or variance requests; take action as appropriate.

Commissioner Elder made a motion to approve a variance request from Katharina Knelsen at 1395 CR 223M in Precinct 2, to replace leach lines. Commissioner Murphree 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.

Judge Therwhanger: The ice machine in the break room is 10 years old and has been replaced with an estimated cost of \$4,000.00 The Employee recognition is set for November 29th with a steak dinner being served.

Commissioner Murphree: He met with Robert Barrett and Nick Castillo regarding replacing the gas line and this procedure can be done in house and will contact the city to see if its annexed to them. He also stated we would get the proper permit and do a dig text.

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

a. Texas Government Code §551.072 (Deliberations about Real Property)

Executive session began at 9:35a.m.

Open session began at 10:32a.m. with no action taken

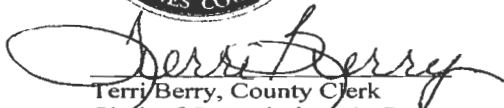
21. Adjourn;

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

The meeting adjourned at 10:33a.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 October 25, 2023.





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

