

STATE OF TEXAS

COUNTY OF GAINES

THE HONORABLE COMMISSIONERS' COURT OF GAINES COUNTY MET IN A REGULAR MEETING ON AUGUST 14, 2024 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. Introduce new staff member, Imelda Ledesma, from the District Clerk's Office. Judge Therwhanger stated Imelda Ledesma was a new employee in the District Clerk's Office replacing Dee Keener once she retires.
3. To consider, discuss, and take any necessary action on routine administrative items:
 - a. Minutes from last month's meetings:
 - i. July 3, 2024, July 17, 2024, July 29, 2024 Special Meeting, July 31, 2024
 - b. 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.
 - c. Payroll payables
 - d. Accounts payable, fund transfers and budget amendments
 - e. Transfer, sale or destruction of Gaines County Surplus under Local Government Code §263.152.
 - f. Contract Renewals:
 - i. Control Consultants & Services, Inc. - \$2,310.00 annually – Jail web preventative maintenance services
 - g. Facility requests:

Commissioner Rosson made a motion to approve the routine administrative items, and the contract with Control Consultants & Services, Inc. as presented. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

4. Meet with Chamber of Commerce Director Shawntay Pettyjohn to receive report on Freedom Fest and Ag oil Day. Shawntay Pettyjohn, Chamber of Commerce Director stated the Freedom Fest was a

5. Meet with Gaines County Extension Agent Terry Millican for an update on the Ag Extension programs.

Terry Millican, County Extension Agent reviewed various upcoming and previous activities such as: Organic Peanut Tour, skill-athon, shooting sports, Ag camp, Horse show, Ag producers, fall fairs, field, etc.

6. To consider, discuss and take any necessary action on a request from Terry Millican to utilize the County pickup to travel to a county agents workshop and training in Lincoln, New Mexico, held August 20-23.

Commissioner Murphree made a motion to give Terry Millican blanket authorization to use the county pickup to travel to Lea, Roosevelt & Lincoln counties in New Mexico. Commissioner Elder seconded the motion. Motion carried unanimously.

7. To consider, discuss and take any necessary action on the introduction of Blue Skies Mutual Aid from Jake Froese and hear request for assistance.

Jake Froese with Blue Skies Mutual Aid stated within this organization their main goal is to serve and assist the ones in poverty and need of assistance. They offer free food boxes, hygiene boxes & baby boxes, job searches, housing, and various other things. They currently have 45 different departments and currently meet the last Tuesday of the month at the Coffee Lounge upstairs. He asked commissioners court to possibly assist him in a place for him and his volunteers to meet that would better suit theirs needs. Following much discussion all commissioners stated they would research county buildings and place this item on a future agenda for approval.

8. To consider, discuss and take any necessary action on a memorandum of agreement with Shaun McDonald for professional golf services.

Commissioner Murphree made a motion to approve the memorandum of agreement with Shaun McDonald for professional golf services to be extended until December 31, 2024. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

9. To consider, discuss and take any necessary action on a request from Precinct 4 for two pickups for the South Cemetery. Total cost: \$38,054.66 each

Commissioner Rosson made a motion to approve the purchase of 2 - 2024 Chevrolet Trucks for the South Cemetery in Precinct 4 with Mitch Hall Chevrolet Buick GMC, Lamesa, Tx, in the amount of \$38,054.66 each using ARPA funds for one truck and reserve funds for the 2nd truck. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

10. To consider, discuss and take any necessary action on optional fees for calendar year 2025 for the Texas Department of Motor Vehicles.

Commissioner Rosson made a motion to approve the optional fees for calendar year 2025 for the Texas Department of Motor Vehicles with there being no changes. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

11. To consider, discuss and take any necessary action to appoint Zach Holbrooks as the Local Rabies Control Authority for Gaines County, according to Chapter 826 of the Texas Health and Safety Code.

Commissioner Houston made a motion to appoint Zach Holbrooks as the Local Rabies Control Authority for Gaines County. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

12. To consider, discuss and take any necessary action on a quote from ABF Roofing for the replacement of the roof using insurance funds at the Loop Community Center. Total Cost: \$48,064.00

Commissioner Rosson made a motion to approve a quote from Terralogic to scan personnel records in the amount of \$3,196.91 as presented by Michael Lord, Treasurer and authorize the Auditor to use reserve funds. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

14. To consider, discuss, or take any necessary action on resolution for the Indigent Defense Grant.

Commissioner Houston made a motion to approve a resolution for the Indigent Defense Grant as read aloud by Judge Therwhanger. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

15. To consider, discuss, or take any necessary action on the 2024 Fixed Asset Inventory and Management Update Proposal with RCI. Total Cost: \$14,100.00

Commissioner Rosson made a motion to approve the 2024 Fixed Asset Inventory and Management Update Proposal with RCI in the amount of \$14,100.00. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on changing Commissioner Court meetings:

- a. August 28, 2024, to Monday, August 26, 2024 – Legislative Conference
- b. October 23, 2024, to Monday, October 21, 2024 – State Conference
- c. November 20, 2024 to Monday, November 18, 2024 – Fall Judicial
- d. January 1, 2025 to Thursday, January 2, 2025

Commissioner Murphree made a motion to approve changing Commissioner Court meeting as follows:

- a. August 28, 2024, to Monday, August 26, 2024 – Legislative Conference
- b. October 23, 2024, to Monday, October 21, 2024 – State Conference
- c. November 20, 2024 to Monday, November 18, 2024 – Fall Judicial
- d. January 1, 2025 to Thursday, January 2, 2025

Commissioner Rosson seconded the motion. Motion carried unanimously.

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

- a. Garza County Regional Juvenile Center
- b. Randall County Youth Center of the High Plains

Commissioner Elder made a motion to approve the contracts for juvenile residential services with Garza County Regional Juvenile Center & Randall County Youth Center of the High Plains as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

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

- a. Nikki Russell Counseling Services

Commissioner Rosson made a motion to approve the contract for Juvenile residential services with Nikki Russell Counseling Services as presented. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

19. To consider, discuss and take action necessary to go out for bids for FY 2025 contracts for road building / repair materials, including but not necessarily limited to sand, gravel, caliche, rock (all sizes), and asphalt (all types and grades), as well as prices for hauling said materials to storage locations in the County, set a date of September 25, 2024 for opening bids.

Commissioner Murphree made a motion to go out for bids for all precincts on ground caliche, fuel, sand, pushed caliche, prime oil, asphalt oil, grinding county owned caliche,

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

None

22. 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

- SB 22 Grant has been completed for the Sheriff's Department
- TxDot is not available on Wednesday August 14th
- EMS Survey for Legislative Session submitted
- Ministerial Alliance expressed appreciation for the use of the Civic Center and Barn for Seminole Strong which was very successful in meeting the needs of the community
- Immunization Clinic Seagraves is August 15th
- Meeting with Senator Sparks on August 19th regarding Road Safety Coalition
- Courthouse will be closed for Labor Day September 2nd
- County Road Report due to TxDot by August 28th

Commissioner Elder

- Cemetery has a pipe that has busted and is being repaired
- There was an accident at Lytle Field and a claim has been filed with TAC
- Joe Nelson, Gaines County Abstract stated he needed to have maps on all road closings and road crossings.

Commissioner Murphree

There was a power surge at the airport and lost 19 runway lights at the airport this issue is being looked into for a resolution.

23. To consider, discuss and take any necessary action to Order of Election for the November General Election for County Officers.

Commissioner Rosson made a motion to approve the Order of Election for November 5th General Election for County officers as presented. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

24. Budget workshop – the following item(s) provide a framework for discussions but should not be considered to limit discussions on other budget issues that may arise.

a. Salary Review / Stipends / Supplement Increases

Approved-3% raise for all employees total cost \$328,708.97 including longevity. Esmeralda Felan, Auditor stated this will still keep the county within the no new revenue rate

Salary increase of \$14,000.00 for Ronnie Pipkin, Sheriff using state grant money with SB22 funds.

Not Approved- 3% increase on stipends

b. Indigent health care stipend

Approved-\$10,000.00 stipend for Michael Lord, Treasurer who is now doing the Indigent Health.

c. District Attorney budget request

Approved-budget request for \$317,138.78 (8% increase from 2024)

d. City budget request

Not Approved- budget request increase of \$393,679.00 (4 full time fire fighters)

e. Proposed Budget Review

f. Discuss the proposed tax rates to fund the Tax Year 2023/FY 2024 General

Esmeralda Felan, Auditor stated this still keeps the county below the no revenue rate and the proposed budget will be in the County Clerk's for viewing for the public and a special commissioners court will be help to approve the final budget.

g. Consider and adopt any necessary policy changes to be included in the final Budget book.

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

Closed session at 11:18a.m.

Open session at 11:45a.m.

No action taken

a. Pursuant to Texas Government Code §551.074, Personnel Matters

26. Adjourn;

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

The meeting adjourned at 11:46a.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 August 14, 2024.



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 REGULAR MEETING ON AUGUST 26, 2024 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
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TERRI BERRY

COUNTY CLERK

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.

John Knelsen, Johan Fehr & Peter Dyck addressed concerns requesting roads to be maintained by the county within the subdivision they current reside in Precinct 3 Judge Therwhanger stated she would give each individual the contact information for Commissioner Murphree, Precinct 3.

2. Elections Department Update

Patricia Robertson stated she would retiring December 31, 2024 and the November 5th election would be her last election. Judge Therwhanger stated a position for Election Administrator was post August 21st and will run through September 6th. At this time the committee, consisting of the County Judge, County Clerk, County Tax Assessor, Democratic Chair and Republican Chair will review applications.

3. To consider, discuss, and take any necessary action on routine administrative items:

- a. Payroll payables
- b. Accounts payable, fund transfers and budget amendments
- c. Transfer, sale or destruction of Gaines County Surplus property under Local Government Code §263.152:
- d. Contract Renewals:
 - i. Elections - Vista Solutions Group, LP - \$4,360.50
- e. Rental Facility requests:
 - i. Panhandle Chemical – September 6, 2024 – Company Golf Tournament

Commissioner Elder made a motion to approve the routine administrative items, contract renewal for Elections from Vista Solutions Group, LP and facility rental request from Panhandle Chemical September 6th for a Golf Tournament. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

- February 19th- Seminole ISD- JV
- March 7th-8th- Seminole ISD Varsity
- March 31st- Loop ISD
- April 7th- Sundown ISD & New Deal ISD

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

5. To consider, discuss and take any necessary action on a request from the Gaines County Library System to use the Unclaimed Capital Funds to make a one-time advance deposit to subscribe to Hoopla for digital circulation of reading materials using Unclaimed Capital Credit Funds. Total Cost: \$10,000.00

Commissioner Rosson made a motion to approve Sabra Hall, Library Director to use Unclaimed Capital Funds to make a one-time advance deposit to subscribe to Hoopla for digital circulation of reading materials in the amount of \$10,000.00.

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

6. To consider, discuss and take any necessary action on a plan for the library to waive fines for returning overdue materials.

Commissioner Elder made a motion to approve Sabra Hall, Library Director to waive late fees & fines for the month of October for overdue library books. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

7. To consider, discuss and take any necessary action on a request from Seminole Chamber to host "The Jingle Mingle" on the Courthouse Square on December 7, 2024.

Commissioner Houston made a motion to approve the use of the Courthouse lawn and streets surrounding the courthouse to be used December 7th by the Chamber of Commerce for The Jingle Mingle event. Commissioner Rosson seconded the motion. Motion carried unanimously.

8. To consider, discuss and take any necessary action on a request from Seminole Chamber to place sponsored banners of award winners from a student Christmas artwork contest on the poles surrounding the Courthouse in December.

Commissioner Rosson made a motion to approve the Chamber of Commerce use of 10 poles around the courthouse to display the custom art work by student winners of the Christmas artwork contest as presented by Shawntay Pettyjohn, Chamber of Commerce Director. Commissioner Elder seconded the motion. Motion carried unanimously.

9. To consider, discuss and take any necessary action on a request from Blue Skies Mutual Aid to host monthly public meetings at a Gaines County facility.

Robert Barrett, EOC Director stated Blue Skies Mutual Aid could use the EOC building to host monthly public meetings and he would open and close the facility for the. Elder made a motion to approve the use of the EOC building for Blue Skies Mutual Aid for their monthly public meetings. Commissioner Houston seconded the motion. Motion carried unanimously.

10. To consider, discuss and take any necessary action on terminating the rental agreement for the mobile home at the Gaines County Park as of December 31, 2024.

Commissioner Rosson made a motion to approve the termination of the rental agreement for the mobile home at the Gaines County Park as of December 31st, 2024 and authorizing Judge Therwhanger to send a letter stating this to the tenant. Commissioner Houston seconded the motion. Motion carried unanimously.

funds in the amount of \$57,704.32. Commissioner Murphree seconded the motion. Motion carried unanimously. (see attached)

12. To consider, discuss and take any necessary action on a request from the Estate of Jack and Loretta Sublett to quitclaim two cemetery plots to Gaines County. Memorial Cemetery Garden 1 Block 84 Lots 5 & 6. Total Cost: \$200.00

Commissioner Elder made a motion to accept a Quitclaim Cemetery Deed in Lots 5 & 6 Blk 84 Garden 1, Memorial Cemetery from Jack and Loretta Sublett to Gaines County in the amount of \$200.00. Commissioner Rosson seconded the motion. Motion carried unanimously. (see attached)

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

- a. Father Flanagan's Boys' Home

Commissioner Houston made a motion to approve the renewal contract for juvenile residential services from Father Flanagan's Boys' Home. Commissioner Murphree seconded the motion. Motion carried unanimously.

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

- a. Rise Up Counseling Services

- b. Scott Martin, Alternative Life Solutions Counseling

Commissioner Rosson made a motion to approve the contracts for juvenile counseling services from Rise Up Counseling Services & Scott Martin, Alternative Live Solutions Counseling. Commissioner Elder seconded the motion. Motion carried unanimously.

15. To consider, discuss and take any necessary action on the County Investment Authority and Investment Policy.

Michael Lord, Treasurer stated there are no changes to the County Investment Authority and Investment Policy, he stated he needs updated Elected Official signatures since the last one was adopted in 2020. Commissioner Rosson made a motion to authorize adopting the County Investment Authority and Investment Policy with updated signatures and no changes. Commissioner Houston seconded the motion. Motion carried unanimously. (see attached)

16. To consider, discuss and take any necessary action on the use of 2024 Employee Safety Equipment Funds from Texas Association of Counties Risk Management Pool.

Commissioner Rosson made a motion to authorize Michael Lord, Treasurer to use the 2024 Employee Safety Equipment Funds from TAC Risk Management Pool as needed per request from Commissioners. Commissioner Elder seconded the motion. Motion carried unanimously.

17. To consider, discuss and take any necessary action on the proposed tax rate to fund the Tax Year 2024/Fiscal Year 2025 General Fund and Flood Control/Lateral Road budgets.

Esmeralda Felan, Auditor presented in detail the proposed tax rate to fund the Tax Year 2024/Fiscal Year 2025 General Fund (0.348851) and Flood Control/Lateral Road (0.154759) budgets and stated the county is below no new revenue. She received approval for proposal to vote on tax rate by all commissioners.

18. To consider, discuss and take any necessary action on renewal of an agreement between Gaines County and West Texas Centers to provide mental health and intellectual and developmental disability services for the upcoming fiscal year.

Commissioner Rosson made a motion to renew an agreement between Gaines County and West Texas Centers to provide mental health and intellectual and developmental disability services as presented with no changes. Commissioner Houston seconded

20. To consider, discuss and take any necessary action on the Certificate of Appointment for a Health Authority for Gaines County.

Commissioner Houston made a motion to continue the Certificate of Appointment for a Health Authority for Gaines County with Dr. Morris Knox. Commissioner Elder seconded the motion. Motion carried unanimously. (see attached)

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

No subdivision presented. Judge Therwhanger stated taking over and maintaining roads within a Subdivisions is a matter between the developer and the buyer. This should be a topic addressed between those parties.

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

None

23. 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

Courthouse will be closed for Labor Day September 2nd

County Road report is due to TxDot by August 28th and she will get it submitted

TAC Legislative Conference is in Austin, August 28th-30th

Wellness Checks is September 4th & 5th

National Day of Service on Courthouse lawn at 8:00a.m. on September 11th,

Next meeting Wednesday September 11, deadline for agenda items is Wednesday 4th

Esmeralda Felan

ABF Roofing which was to repair the roof at the Loop Community Center did not include Bond and Insurance in their proposal. Therefore, it will be placed on the next agenda for an amendment in pricing.

24. Budget Workshop: the following item(s) provide a framework for discussions but should not be considered to limit discussions on other budget issues that may arise.

- a. Review Financial information from the City of Seminole for EMS / Fire Department

In reviewing the financial information from the City of Seminole for EMS & Fire Department it was unclear the loss amount and other items. Therefore, Judge Therwhanger is reaching out to the City Administrator for explanation.

- b. Request for Adult Probation staff to participate in the free healthcare program at the Fitness Center.

Following discussion regarding 3 staff members participating in the free healthcare program at the Fitness Center Michael Lord will research as they are not on the county payroll to ensure they pay taxes as this is a fringe benefit.

Judge Therwhanger presented a letter written to Phillip Mach Furlow, Judicial District Attorney from Gaines County Judge Therwhanger, Dawson County Judge O'Brien, Lynn County Judge Braddock and Garza County Judge Norman regarding his 2025 budget request.

25. Adjourn;

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

The meeting adjourned at 10:10a.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 August 26, 2024.



Terri Berry

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

