

# HOWARD COUNTY COMMISSIONERS COURT AGENDA

## October 14, 2019

The following item(s) of business will be discussed and possible action taken in a regular meeting of the Howard County Commissioners' Court to be held on **MONDAY, October 14, 2019**. A workshop will begin at 3:00 PM in the second floor courtroom. Court will recess and reconvene to the 3<sup>rd</sup> floor for the regular meeting at 3:30 pm.

**Location: Howard County Courthouse**  
**300 S. Main St, 3<sup>rd</sup> Floor Courtroom**  
**Big Spring, TX 79720**

**Announcement:** Anyone intending to address the Commissioners' Court shall complete and turn in the designated form to the County Judge. Please silence all cellphones.

### Call to Order

### WORKSHOP at 3:00 PM:

**LOCATION: 2<sup>nd</sup> Conference Room**

Discussion / Possible Action: Howard County Appraisal District Board Member Nominations

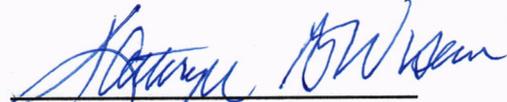
### REGULAR SESSION at 3:30 PM:

**LOCATION: 3<sup>rd</sup> FLOOR COMMISSIONERS COURTROOM**

- **JoAnn Valle, Howard County Indigent/Welfare Director**
  - Discussion / Possible Action: Memorandum of Understanding from South Plains Rural Health Services Inc.
  
- **Judge Kathryn G. Wiseman**
  - Discussion / Possible Action: Proclamation of National Adoption Day (Judge Griffith, Child Protection Court of the Permian Basin)
  - Discussion / Possible Action: Resolution Regarding Auxiliary Facilities for Child Protective Court on National Adoption Day (Judge Griffith, Child Protection Court of the Permian Basin)
  - Discussion / Possible Action: DPS Update (Sgt. Anzeldua)
  - Discussion / Possible Action: Statement of Agreement Between West Texas Centers and Howard County Commissioners (Shelley Smith, West Texas Centers)
  - Discussion / Possible Action: Resolution & Agreement Authorizing the Auction of Howard County Trustee Properties to the Highest Bidder for Cash Without Reservation
  - Discussion / Possible Action: Renewal of the Breath Alcohol Testing Program Cooperative Agreement between Howard County & Midland College
  - Discussion / Possible Action: Changes for Howard County Subdivision Regulation
  - Discussion / Possible Action: Changes for Howard County Tax Abatement Agreements
  - Discussion / Report: Ports-to-Plains TXDOT Feasibility Study Advisory Committee
  - Discussion / Possible Action: Seitel Permit to Conduct Geophysical Operations on County Owned Property
  
- **Brian Klinksiek**
  - Discussion / Possible Action: Roadway Maintenance Updates
  - Discussion / Possible Action: Request For Permission To Go Out For Bids On Materials
  - Discussion / Possible Action: Personnel Matters – EXECUTIVE/CLOSED SESSION – A closed meeting will be held pursuant to Gov't Code § 551.074
  
- **Commissioner John Cline, Pct. 4**
  - Discussion / Possible Action: Abandon Old County Alleys
  
- **Jackie Olson**
  - Discussion / Possible Action: 2020 Howard County Resolution for the Indigent Defense Grant Program
  - Discussion / Possible Action: Award Fuel Bids
  - Discussion / Possible Action: Pre-Approval for County Travel Form
  - Discussion / Possible Action: Pre-Approval of County Travel
  - Discussion / Possible Action: Approve Invoices
  - Discussion / Possible Action: Approve Purchase Requests
  - Discussion / Possible Action: Approve Budget Amendments

- **Sharon Adams**
  - Discussion / Possible Action: Approve Personnel Considerations
  - Discussion / Possible Action: Personnel Matters – EXECUTIVE/CLOSED SESSION – A closed meeting will be held pursuant to Gov't Code § 551.074
  - Discussion / Possible Action: Treasurer's Monthly Payroll Report
  - Discussion / Possible Action: Treasurer's Monthly Report
  - Discussion / Possible Action: Annual Renewal for County Choice Silver Retirees
  - Discussion / Possible Action: TBG/Active Shooter Training
- **Brent Zitterkopf**
  - Presentation of Clerk's Monthly Report
  - Presentation of Clerk's Annual Report
- Discussion of Law Enforcement Radio System and take any necessary action
- Citizen input for those registered to make comments
- Opportunity for mention of any items to be on the future agendas

Attest:



Kathryn G. Wiseman  
 Howard County Judge  
 Phone. 432-264-2203  
 Fax. 432-264-2238



**Pursuant to the authority granted under Government Code, Chap. 551, the Commissioners Court may convene a closed session to discuss any of the above agenda items. Immediately before any closed session, the specific section or sections of Government Code, Chap. 551 that provides statutory authority will be announced**

BY DEPUTY   
 COUNTY CLERK HOWARD COUNTY  
 2019 OCT 11 AM 11:16  
 FILED 

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to make a Resolution Designating Trinity Baptist Church Fellowship Hall, 1701 E FM 700, Big Spring, TX, as an auxiliary courtroom for the Child Protection Court of the Permian Basin and the 118<sup>th</sup> Judicial District Court on November 6, 2019 for the National Adoption Day proceedings as presented by Judge Griffith, Child Protective Court of the Permian Basin. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

Sgt. Anzaldua, DPS, gave a DPS Update and also requested that Commissioners re-instate the DPS Secretary to a full-time position.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to table consideration of DPS Secretary back to a full-time position until the next Regular meeting when absent members of the Court could be present. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the 2020 Howard County Resolution for the Indigent Defense Grant Program as presented by Jackie Olson, County Auditor. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the Pre-Approval for County Travel Form as presented by Jackie Olson, County Auditor. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the County travel requests, with the addition of a verbal request by Brian Klinksiek, County Road Administrator, as presented by Jackie Olson, County Auditor. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve Invoices, with the addition of the State Sales Tax in the amount of \$479.89, as presented by Jackie Olson, County Auditor. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the Purchase Requests as presented by Jackie Olson, County Auditor. The requests are as follows: Jail for Cain Electric for parking lot lights @ \$5540; District Court for sound system from Martel Electronics @ \$1400; County Clerk for Docket Sheets from Government Forms & Supplies @ \$1297; Sheriff for 21 computers from Dell @ \$25069; Sheriff for Wave System for County Buildings from Secure Tech @ \$24500; Tax Assessor for two Reserved Parking signs;

BE IT REMEMBERED that on the 14th day of October, A.D. 2019 the Commissioner Court of Howard County met in Workshop session at 3:00 PM and Regular session @ 3:30 PM with **KATHYRN G. WISEMAN**, County Judge as the Presiding Officer. The following members were present: **OSCAR GARCIA** and **JOHN H. CLINE**, Commissioner Precinct No. 4. **CRAIG BAILEY**, Commissioner Precinct No. 2 and **JIMMIE LONG**, Commissioner Precinct No. 3 were absent.

The Workshop session was called to order @ 3:03 PM.

Commissioners interviewed Scott Emerson to be the representative for Howard County on the Howard County Tax Appraisal District Board.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to appoint Scott Emerson as Howard County Tax Appraisal District Board member to represent Howard County. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

The Court recessed @ 3:19 PM to move to the 3<sup>rd</sup> Floor Commissioner Courtroom for the Regular session.

The Court reconvened @ 3:30 PM.

The following people were registered to speak and addressed the Court asking that they reconsider and re-instate the Secretary position for the DPS to a full-time position. First to speak was Robert Fitzgibbons, JP1-1. The following DPS troopers also addressed the Commissioners: Shawn Baxter, Bradley Slade, Sterling Shelton, Reed Churchwell, and Juan Spivey. Several other troopers were present in support of the issue but did not speak. Judge Nancy Bradshaw and Judge Jarrell Hedrick from Martin County also spoke and asked Commissioners to reconsider. Each speaker spoke of the importance of that position and the part that Secretary plays in helping to keep paperwork up to date so that Troopers have more time for patrol.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the Memorandum of Understanding between South Plains Rural Health Services, Inc. and Howard County Indigent Program as presented by JoAnn Valle, Howard County Indigent Health Director.. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to Proclaim November 6, 2019 as National Adoption Day in Howard County as presented by Judge Griffith, Child Protection Court of the Permian Basin. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

and Maintenance for replacement ceiling panels for the Library and the Courthouse from A.H. Elevator LLC @ \$1147. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve Budget Amendments as presented by Jackie Olson, County Auditor. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to award fuel bids to Pilot Thomas Logistics and Cactus Fuel @ \$0.10 per gallon if they will remove the following \*Pilot Thomas Logistics & Cactus Fuel reserves the right to change the freight rates with 15 day notice. If not, the fuel bid will be awarded to Murphy Scott Resources @ \$0.13 per gallon. There was an additional bid from Parks Fuels, Inc. @ \$0.15 per gallon. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the Statement of Agreement between West Texas Centers and Howard County Commissioner's Court as presented by Shelley Smith, West Texas Centers. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve a Resolution of Howard County Authorizing the Auction of Howard County Trustee Properties to the Highest Bidder for Cash, Without Reservation as presented by Kathryn Wiseman, County Judge. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to renew the Breath Alcohol Testing Program Cooperative Agreement between Midland College and Howard County as presented by Kathryn Wiseman, County Judge. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to adopt mandated changes for the Howard County Subdivision Regulations and County Tax Abatement Agreement as presented by Kathryn Wiseman, County Judge. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

Registered speaker Paul Beaulieu, Permian Lodging, spoke to Commissioners with questions concerning the Subdivision rules. He also told the Court about Permian Lodging and the top quality Lodge they are and will be once all is completed. Permian Lodging is located on the South Service road of Interstate 20, just east of the Refinery.

Kathryn Wiseman, County Judge, and Brian Klinksiek, County Road Administrator both discussed items in the Howard County Subdivision Rules.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to grant a permanent variance for RV Parks with less than 15 RV's and developments with less than 25 people. These can all be approved by the County Road Administrator. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

Kathryn Wiseman, County Judge, reported that she attended the Ports-to-Plains TxDot Feasibility Study Advisory Committee meeting in Lubbock. She stated that Big Spring and Howard County are a big part of the Ports-to-Plains and she believes the Court should be in full support of the endeavor. No action needed.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to table action on the Seitel Permit to conduct Geophysical Operations on County owned property as presented by Kathryn Wiseman, County Judge. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

Brian Klinksiek, County Road Administrator, gave updates on various County Roads and the works he plans to get done during this fiscal year. No action needed.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia giving Brian Klinksiek, County Road Administrator permission to go out on bids for materials as requested by Mr. Klinksiek. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to abandon old County alleyways in the William Green subdivision on North Birdwell Lane as presented by John Cline, Commissioner Precinct No. 4. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the Personnel Considerations as presented by Sharon Adams, County Treasurer. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the Monthly Payroll Report for September 2019 as presented by Sharon Adams, County Treasurer. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the Treasurer's Monthly Report for September 2019 as presented by Sharon Adams,

County Treasurer. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the Annual Renewal for County Choice Silver Retirees Insurance as presented by Sharon Adams, County Treasurer. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to table any action on TBG/Active Shooter training as presented by Sharon Adams, County Treasurer. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve the Howard County Clerk's Monthly Report for September 2019 as presented by Brent Zitterkopf, County Clerk. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Cline and seconded by Commissioner Garcia to approve the County Clerk Annual Report for fiscal year ending September 30, 2019 as presented by Brent Zitterkopf, County Clerk. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

The Court then moved into two separate Executive/Closed sessions pursuant to Gov't Code 551.074 @ 5:19 PM. One session with Brian Klinksiek, County Road Administrator and one session with Sharon Adams, County Treasurer.

The Court reconvened into Regular session @ 5:35 PM.

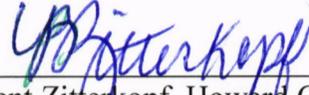
No action taken at this time on the first matter with Brian Klinksiek, County Road Administrator.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to approve an employee using up to four weeks from the Sick Leave Pool. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

A motion was made by Commissioner Garcia and seconded by Commissioner Cline to adjourn @ 5:40 PM. A vote was taken and the members of the Court unanimously voted "AYES". Motion carried.

STATE OF TEXAS  
COUNTY OF HOWARD

I, Brent Zitterkopf, Howard County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court authorized proceedings for October 14, 2019.



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Brent Zitterkopf, Howard County Clerk  
Clerk of the Commissioners Court  
Howard County, Texas

