

**MINUTES OF COMMISSIONER COURT, MOORE COUNTY, TEXAS  
REGULAR SESSION, MONDAY, OCTOBER 11, 2021**

**STATE OF TEXAS     }**  
**COUNTY OF MOORE }**

BE IT REMEMBERED THAT ON THIS 11TH DAY OF OCTOBER, 2021 there came to be held a Regular Session of Commissioners Court of Moore County, Texas in the Commissioners Courtroom in the Courthouse in Dumas, Texas. The following persons were present to-wit: Rowdy Rhoades, County Judge; Daniel Garcia, Commissioner Precinct 1; Miles Mixon, Commissioner Precinct 2; Dee Vaughan, Commissioner Precinct 3; Lynn Cartrite, Commissioner Precinct 4; and County Clerk, Brenda McKanna.

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Court having been opened according to law the following proceedings were had to wit:

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Motion was made by Commissioner Cartrite to approve the minutes of the Regular Meeting of September 13, 2021 and the minutes of the Special Meeting of September 27, 2021. Motion was seconded by Commissioner Garcia. Motion carried.

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Motion was made by Commissioner Cartrite that the bills as presented by James Allen, County Auditor, be approved for payment and the County Treasurer is hereby directed to issue warrant-checks thereof. Motion was seconded by Commissioner Mixon. Motion carried

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Motion was made by Commissioner Garcia to approve the Temporary Cash Investments dated October 11, 2021 as presented by James Allen, County Auditor, and the County Treasurer's Report of Cash Disbursements of the same date and duly recorded in the Commissioners Court Minutes. Motion was seconded by Commissioner Cartrite. Motion carried. Copies of the Report and Temporary Cash Investments are attached and made a part hereof by references.

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Motion was made by Commissioner Mixon to approve a district-wide sexual assault response team as provided under 351.252(b). Motion was seconded by Commissioner Cartrite. Motion carried.

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Motion was made by Commissioner Garcia to approve eleven members for appointment on the district-wide sexual assault response team as provided under 351.252(b). Motion was seconded by Commissioner Mixon. Motion carried. Copy of letter from Erin Lands Anchondo, District Attorney attached and made a part hereof by references.

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Motion was made by Commissioner Cartrite to approve the purchase of a Cisco Meraki MX64W Cloud Managed Security appliance and subscription license for \$2,226.98 from Elite for the 69<sup>th</sup> District Attorney's Office with expenditure to be paid from District Attorney's Operating Expenses. Motion was seconded by Commissioner Garcia. Motion carried. Copy of invoice attached and made a part hereof by references.

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Motion was made by Commissioner Vaughan to approve the filming guidelines for Moore County as presented by Carl Watson, Chamber of Commerce CEO. Motion was seconded by Commissioner Cartrite. Motion carried. Copy of guidelines attached and made a part hereof by references.

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Commissioner Vaughan stated he is concerned about the exclusive agreement with Butler & Associates. He feels like because of the exclusive agreement with Butler & Associates the county will not receive bids from other insurance companies. He stated health insurance is the single largest purchase made by the county and feels like there is no transparency there. Judge Rhoades stated the county is able to offer paying a portion of the dependents insurance and if the county keeps changing insurance, he is concerned about losing that benefit. He stated he feels like Josh Butler is being transparent and feels like it might be his fault the process didn't seem transparent. Judge Rhoades stated he and Kara met with Josh to find a policy that would work for the county. Commissioner Vaughan feels like it is still not transparent due to the fact of only seeing what Josh wants the county to see. He stated Josh could still come and present his plan along with anyone else interested in presenting an insurance plan. Scott Higginbotham, County Attorney stated at this time there are several exclusive contracts in place within the county but he does not encourage them. He stated the county should get multiple bids and Commissioner Vaughan stated he does not want one company to have an exclusive agreement. Scott stated there are companies that do want exclusive agreements due to the profit margin and continuity of the service to the county and county employees. He stated he believes the exclusivity of the contract will resolve itself when the contract has ended. Commissioner Vaughan believes the contract will continue unless there is a 60-day notice given. Commissioner Garcia stated in April or May the 60-day notice could be given and place the insurance out for bid at that time. Commissioner Vaughan stated he would not have a problem with that as long as the bid is open for other companies to bid. Judge Rhoades asked if it was a personal vendetta and Commissioner Vaughan stated he has no personal vendetta he just doesn't like the way Josh does business.

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Motion was made by Commissioner Vaughan to allow Scott Higginbotham, County Attorney to review the health insurance contract and advise the court how to proceed in order to receive bids for insurance in the future. Motion was seconded by Commissioner Cartrite. Motion carried.

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Dylan Berry, representative from TXNW Railway presented his proposal to close Nitrate Road railway crossing. Dylan asked the court if they would consider closing Nitrate Road, He stated they will be extending the tracks on the road and due to safety, they would like for the county to consider closing the road. Judge Rhoades asked if they could install crossing arms and it was stated they are not required to install the arms. Commissioner Garcia has concerns about the traffic and the extra cost to the public if they have to take a different route. The County Attorney asked if there any other alternatives besides closing the road. He stated the statute requires the county to provide an alternate route if Nitrate is closed. Mr. Berry stated he would like the court to consider an ordinance in regards to closing Nitrate Road. Copy of proposal attached and made a part hereof by references.

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Motion was made by Commissioner Mixon to approve the employment of Hanna Ivins as the Sunray Branch Librarian effective October 18, 2021 with a starting salary of \$3,435.47 with a \$50.00 per month increase every six months for two years based on performance evaluations. Motion was seconded by Commissioner Cartrite. Motion carried.

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Motion was made by Commissioner Garcia to approve the purchase of chock stands from Carbajal Construction in the amount of \$1,230.00 with expenditure to be paid out of RAMP Grant funds. Motion was seconded by Commissioner Mixon. Motion carried.

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Motion was made by Commissioner Cartrite to approve the participation in the Global Opioid Settlement. Motion was seconded by Commissioner Garcia. Motion carried. Copy of Opioid Settlement Allocation and Settlement Participation Forms attached and made a part hereof by references.

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Motion was made by Commissioner Cartrite to approve the Resolution supporting the State of Texas and Texas Political Subdivisions Opioid Abatement Fund Council and Settlement Allocation Term Sheet. Motion was seconded by Commissioner Garcia. Motion carried. Copy of Resolution attached and made a part hereof by references.

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Motion was made by Commissioner Mixon to approve the payment to West Texas Heating & Air for the replacement of HVAC units in the amount of \$311,547.60 with expenditure to be paid out of American Rescue Plan funds. Motion was seconded by Commissioner Garcia. Motion carried.

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Motion was made by Commissioner Cartrite to approve the employment of Ana Landeros as Deputy Treasurer effective October 11, 2021 with a starting salary of \$3,465.35 with a \$50.00 per month increase every six month for two years. Motion was seconded by Commissioner Mixon. Motion carried.

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Motion was made by Commissioner Garcia to approve the appointment of Sheriff J. Dale Butler to the TPC Board. Motion was seconded by Commissioner Cartrite. Motion carried.

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Motion was made by Commissioner Garcia to approve the 2022 Indigent Defense Grant Program Resolution. Motion was seconded by Commissioner Cartrite. Motion carried. Copy of Resolution attached and made a part hereof by references.

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Motion was made by Commissioner Cartrite to approve the Resolution to recognize October 27, 2021 as Community Health Leader Day. Motion was seconded by Commissioner Garcia. Motion carried. Copy of Proclamation attached and made a part hereof by references.

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Motion was made by Commissioner Mixon to approve the Amended Resolution for CTIF Agreement. Motion was seconded by Commissioner Garcia. Motion carried. Copy of Amended Agreement attached and made a part hereof by references.

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Motion was made by Commissioner Mixon to approve the purchase of a computer for Cindy Johnson at the Road & Bridge Dept. in the amount of \$1,519.99 with expenditure to be paid out

of 2020-2021 miscellaneous funds. Motion was seconded by Commissioner Cartrite. Motion carried. Copy of invoice attached and made a part hereof by references.

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Motion was made by Commissioner Cartrite to approve Kade Shoulders transferring to the Sunray Road & Bridge Dept. Motion was seconded by Commissioner Garcia. Motion carried.

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Motion was made by Commissioner Mixon to approve Tim Ollinger replacing Kade Shoulders as maintainer operator in Precinct 2 effective October 11, 2021 with a salary increase from \$25.69 to \$26.17 per hour. Motion was seconded by Commissioner Cartrite. Motion carried.

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Motion was made by Commissioner Garcia to approve Colton Ivins transferring from the Maintenance Department to Road & Bridge Dept. effective October 25, 2021 replacing Tim Ollinger as truck driver. Motion was seconded by Commissioner Mixon. Motion carried.

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Motion was made by Commissioner Garcia to approve the replacement of maintenance personnel. Motion was seconded by Commissioner Mixon. Motion carried.

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Dallas Green, Road & Bridge Supervisor gave a report on activities of the department. Commissioner Mixon has received some concerns in regards to the speeding issues on Schuman Road from FM 119 to Road I. Commissioner Garcia stated he would like to reduce the speed limit to 45MPH and place it on the next agenda for a public hearing to reduce the speed. Dallas stated the transmission is stuck on the John Deere tractor and he believes it will be expensive to do the repair. The court directed him to call John Deere to get an estimate for the repairs and see if they can do the repairs at the shop if it is cost effective.

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At 11:09 A.M. motion was made by Commissioner Garcia that the court enter in Executive Session according to Govt. Code, Sec. 551.087 for deliberation regarding economic development negotiation to vote or otherwise dispose of the content of the Executive Session. Motion was seconded by Commissioner Cartrite. Motion carried.

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At 11:46 A.M. motion was made by Commissioner Mixon that the court reconvene in open court. Motion was seconded by Commissioner Garcia. Motion carried. Judge Rhoades stated no action taken on agenda during Executive Session and certifies to the agenda.

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Motion was made by Commissioner Garcia to take "No Action" on economic development negotiations. Motion was seconded by Commissioner Cartrite. Motion carried.

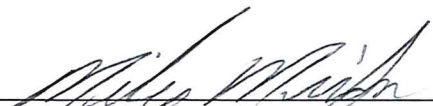
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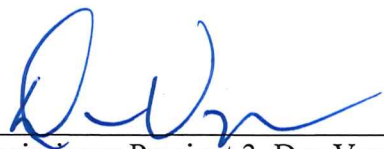
It appears there is no other business to come before the court. Motion was made by Commissioner Garcia to adjourn. Motion was seconded by Commissioner Mixon. Motion carried.

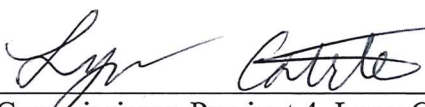
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THE ABOVE AND FOREGOING MINUTES HAVING BEEN READ AND APPROVED, IT IS HEREBY ORDERED THAT THEY BE AND ARE HEREBY APPROVED AS PRESENTED.

  
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Commissioner Precinct 1, J. Daniel Garcia


  
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Commissioner Precinct 2, Miles Mixon

  
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Commissioner Precinct 3, Dee Vaughan

  
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Commissioner Precinct 4, Lynn Cartrite

  
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ATTEST: Brenda McKanna, County Clerk



  
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County Judge, Rowdy Rhoades