

**MINUTES OF COMMISSIONERS COURT, MOORE COUNTY, TEXAS
SPECIAL SESSION, MONDAY, MAY 22, 2023**

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

BE IT REMEMBERED THAT ON THIS 22ND DAY OF MAY, 2023 there came to be held a Special Session of Commissioners Court of Moore County, Texas in the Commissioner's Courtroom of 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; Colt Farni, Commissioner Precinct 4 and Brenda McKanna, County Clerk.

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

Motion was made by Commissioner Vaughan to approve the minutes of the Special Meeting of April 24, 2023 and Regular Meeting of May 8, 2023. Motion was seconded by Commissioner Farni. Motion carried.

Motion was made by Commissioner Garcia that the bills as presented by Coy Barton, 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.

There were three bills presented for special handling:
Motion was made by Commissioner Garcia to approve a payment to LSQ Funding in the amount of \$3,439.22. Motion was seconded by Commissioner Farni. Motion carried.

Motion was made by Commissioner Farni to approve a payment to Potter County Clerk in the amount of \$1,604.88. Motion was seconded by Commissioner Garcia. Motion carried.

Motion was made by Commissioner Mixon to approve a payment to Perdue, Brandon & Fielder in the amount of \$6,231.10. Motion was seconded by Commissioner Farni. Motion carried.

Judge Rhoades declared the meeting open for a public hearing at 9:07 A.M. in regards to placing stop signs at the intersection of Buddy Klein and West Road G. There was no Public Comment. Judge Rhoades declared the public meeting closed at 9:07 A.M. and opened Commissioner Court for routine business.

Motion was made by Commissioner Garcia to place stop signs at Buddy Klein and West Road G. Motion was seconded by Commissioner Vaughan. Motion carried.

Motion was made by Commissioner Vaughan to approve a Resolution for a 2-year Extension of Bank Depository Contract with Happy State Bank. Motion was seconded by Commissioner Farni. Motion carried. Copy of Resolution attached and made a part hereof by reference.

Motion was made by Commissioner Garcia to approve the lease agreement with Moore County Rodeo Association for the Rodeo Arena. Motion was seconded by Commissioner Farni. Motion carried.

Jeff Turner, Hospital Administrator and John Frantz, Hospital Board Member appeared before the court to request an easement for the parking area on the east side of the Kilgore Memorial Library. There were several members from the public present in opposition of the county granting an easement to the hospital for therapy patient parking. It was stated when the schools bring students to the library that area is where the buses park to allow the students to load and unload. Mr. Turner stated the hospital would be willing to block off that area when they know buses will be dropping off students. Deborah Skinner, Librarian stated she also has a problem with the parking area being designated just for hospital use only. Mr. Turner stated he would be willing to take that proposal off the table. Commissioner Vaughan stated he believes there are other options that the hospital could use instead of the county granting the easement. He suggested they take out the elm trees on the east side of the hospital and use that area for parking. Mr. Turner stated he has future plans to bring an oncology unit to Dumas and would like to use that area for cancer patient drop off. Commissioner Garcia stated that the hospital has had two bond elections and both of them have failed. Mr. Turner stated bond elections are for the purpose of building a new hospital at a new site. Since the bond elections did fail the board decided to build on-site and now, they are facing issues with lack of parking. He stated the community has received a new hospital without the taxpayers having to pay for a new hospital facility. Mr. Turner stated the hospital would be willing to pay the entire cost and he believes it is for the future growth and development of the community to allow the hospital to have the easement without the hospital designating it as hospital parking only. There were also some calls made to the court in regards to therapy patients having to cross Bliss Street to get to therapy and taking a chance on falling.

Motion was made by Commissioner Vaughan for the hospital to explore other options for therapy parking and maintain the parking area benefit for the patrons of the library and deny the request to allow the hospital to have a parking easement on the east side of the library. Motion was seconded by Commissioner Garcia. Motion carried.

Wayne Knight was present to discuss the progress on the airport restaurant. He stated that he should be receiving his tables and chairs sometime today and he has purchased some equipment from Tommy. Judge Rhoades asked Wayne if he has obtained his performance bond and Mr. Knight stated the County Attorney and Kirk Pope are in the processing of working on that today. Commissioner Mixon asked what the hold up was that he has not been able to open yet. Mr. Knight stated shipping of the table and chairs. He did say he would like to be open within two weeks. His POS system will be delivered this week and he will begin hiring and conducting training for employees and he will be ready to open. Commissioner Mixon stated he has received several calls in regards to when the restaurant will open and asked Mr. Knight if he could give his word that he would be open by Dogie Days. Mr. Knight stated he can't guarantee it, but it is certainly his intention to be open by then. Commissioner Garcia asked what his plans are if Dogie Days comes and he is not open what are his plans. Mr. Knight stated he would open today if he could. Mr. Knight has some concerns about an additional culvert and Brandon Cox, Airport Manager stated he is not doing anything around the grounds until he sees some activity at the restaurant. The court stated they expect some communication and are looking at the restaurant being open by Dogie Days and if not, there will be some additional communication. Commissioner Mixon stated the court is depending upon Mr. Knight to get the restaurant open as discussed. Commissioner Garcia asked if the restaurant is not open by Dogie Days that the court

will need to re-visit the issue in regards to terminating the contract. Commissioner Farni stated it has been 52 days and he feels like the court has been ghosted. Mr. Knight stated he has been doing a lot of work behind the scenes that go into opening a restaurant. Brandon stated the restaurant has not been cleaned and Mr. Knight stated he will clean after the table and chairs are delivered and setup. Commissioner Mixon stated he is willing to give him until Dogie Days and Commissioner Vaughan stated they have had this meeting and given Mr. Knight a deadline to get the restaurant open.

Motion was made by Commissioner Farni to terminate the contract with Wayne Knight in regards to the lease on the restaurant located at the airport effective immediately. Motion was seconded by Commissioner Garcia. Commissioner Vaughan, Commissioner Mixon and Judge Rhoades voted "NO". Motion failed.

Motion was made by Commissioner Mixon to approve the purchase of a new hose reel for a 100 LL Tank at a cost of \$2,482.94 with expenditure to paid from the RAMP Grant. Motion was seconded by Commissioner Farni. Motion carried.

Motion was made by Commissioner Farni to approve the addition on existing plat at Country Club Estates Unit 3 as presented. Motion was seconded by Commissioner Garcia. Motion carried.

Motion was made by Commissioner Farni to approve the employment of Viviana Estrada as Justice of Peace Precinct 2 Court Clerk effective May 17, 2023 with a starting salary of \$3,575.31 with a \$50.00 increase every six month for two years. Motion was seconded by Commissioner Garcia. Motion carried.

Motion was made by Commissioner Farni to approve a new contract between Moore County Office of Emergency Management and BI Incorporated. Motion was seconded by Commissioner Garcia. Motion carried. Copy of contract attached and made a part hereof by references.

Motion was made by Commissioner Mixon to approve the 2023 Property Collections Contracts. Motion was seconded by Commissioner Garcia. Motion carried. Copy of contract attached and made a part hereof by references.

Motion was made by Commissioner Farni to approve the budget amendment in the amount of \$28,286.00 to be paid from received funds that will be used for a vehicle lease agreement to replace a patrol unit that was approved to be replaced on November 14, 2022. Motion was seconded by Commissioner Garcia. Motion carried.

There was some discussion in regards to a wreck that happened in Austin with a Sheriffs vehicle. The body shop that the vehicle was taken to sold the vehicle and TAC will be reimbursing the county 100% replacement cost of the vehicle, equipment and the personal belongings in the vehicle. At this time, they have not received the amounts that will be reimbursed.

Brandon Jones, Lieutenant reported that the Sheriff's Dept. will start working accidents due to the shortage of DPS Troopers resulting from the ending of Title 42. DPS will be doing a three-day training for the Sheriff's Office in regards to working accidents.

Motion was made by Commissioner Farni to approve the Interlocal Cooperation Contract between Moore County and Department of State Health Services for the issuance of remote site birth

records. Motion was seconded by Commissioner Vaughan. Motion carried. Copy of agreement attached and made a part hereof by references.

Motion was made by Commissioner Vaughan to approve hiring a replacement for a retiring bailiff with a certified deputy with the understanding the salary will be based on the retiring bailiff's current salary. Motion was seconded by Commissioner Mixon. Motion carried.

Motion was made by Commissioner Garcia to approve the expenditure in the amount of \$2,574.00 for jail asbestos testing with the expenditure to be paid from the jail maintenance fund. Motion was seconded by Commissioner Farni. Motion carried. Copy of proposal attached and made a part hereof by references.

Motion was made by Commissioner Garcia to approve the Memorandum of Understanding between Panhandle Behavior Health Alliance and Moore, Dallam and Hartley Counties. Motion was seconded by Commissioner Farni. Motion carried. Copy of Memorandum attached and made a part hereof by references.

Motion was made by Commissioner Farni to approve the purchase of new countertops for the daycare at a cost of \$4,900.00 to be paid out of the maintenance budget. Motion was seconded by Commissioner Vaughan. Motion carried.

Motion was made by Commissioner Mixon to approve replacing the vacant maintenance/custodian position. Motion was seconded by Commissioner Vaughan. Motion carried.


Motion was made by Commissioner Garcia to take "No Action" in regards to extended coverage for Road & Bridge Road grader. Motion was seconded by Commissioner Farni. Motion carried.

Motion was made by Commissioner Mixon to purchase a heavy-duty code reader scanner in the amount of \$2,427.86 with expenditure to be paid from repairs and maintenance. Motion was seconded by Commissioner Vaughan. Motion carried.

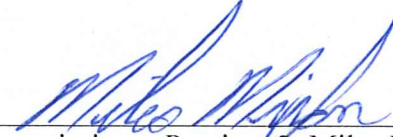
Raymond Tate, Road & Bridge Supervisor gave a report on the department. Raymond reported that Justin's roller main beam is busted and James found one in Canada at an approximate cost of \$6,000.00. The court suggested Raymond check into having the tongue on the roller re fabbed instead of purchasing a new one.

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


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



Commissioner Precinct 1, J. Daniel Garcia




Commissioner Precinct 2, Miles Mixon




Commissioner Precinct 3, Dee Vaughan

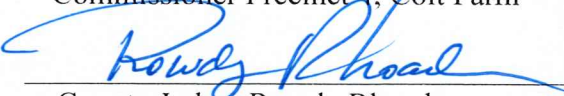
- Absent -

Commissioner Precinct 4, Colt Farni



ATTEST: Brenda McKanna, County Clerk





County Judge, Rowdy Rhoades